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Solid Waste Management Plan  
Pittsylvania County, Virginia  
Including the Towns of Chatham, Hurt, and Gretna, an  
Approved Solid Waste Management Region

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# Pittsylvania County Solid Waste Management Region Solid Waste Management Plan

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## 1.0 INTRODUCTION

### 1.1 Location

Pittsylvania County (the “County”) is the largest Virginia County in terms of land area (982.89 square miles). The Town of Chatham is the County seat and setting for an urban concentration. Other areas of urban concentration are the Towns of Gretna and Hurt, as well as those areas nearest to the City of Danville. Pittsylvania County has a County Administrator form of government, with a seven-member Board of Supervisors that set guidelines for administration and policy.

Situated in the south-central Piedmont plateau region, the land is rolling to hilly, with elevations generally averaging from 400 to 800 feet above sea level. The highest point in the County is Smith Mountain which is 2,043 feet high.

The County is bordered on the north by Campbell and Bedford Counties, and to the south by the state of North Carolina. Halifax County borders the east, with Henry and Franklin Counties to the west.

A vicinity map is provided in **Appendix 1, Figure 1**.

### 1.2 Background

Prior to 1973, there was no regulated solid waste collection service in Pittsylvania County. In 1974, the County purchased 400, four cubic yard, green boxes for collection of residential solid waste. Many of these boxes were located at, or near, commercial establishments with the permission of the owner. By 1989, 656 green box containers were scattered throughout the County. The boxes were emptied by the County approximately twice a week, and more often in densely populated areas.

As demand for solid waste disposal services increased, Pittsylvania County developed a larger capacity system of centralized solid waste collection facilities (convenience centers) that were designed to replace the green box system—with the exception of the more rural and less-densely populated areas of the County. Convenience centers provide a dedicated space where County residents can dispose of waste, bulky materials, and can dispose of recyclable materials.

The Pittsylvania County Landfill, opened in 1974, is located approximately 6.5 miles south of Chatham and consists of approximately 450 acres. The landfill is designated as a non-hazardous waste disposal facility, and is designed for the controlled disposal of municipal solid waste, demolition debris (bricks, concrete, rubble), and construction waste. No industrial, toxic or hazardous wastes are accepted for disposal at this site.

Phase I of the subtitle D landfill was opened in 1995 and was closed in August 2007. Phase 2 of the landfill was permitted in 2003 and opened in June of 2005. The estimated life of the landfill, when counting the future undeveloped phases, exceeds 100 years.

### 1.3 Authority for Solid Waste Management Plan

In accordance with the Virginia Waste Management Act (Virginia Code, § 10.1-1411) the Virginia Waste Management Board has mandated that all solid waste planning units in the Commonwealth develop and adopt a solid waste management plan. In order to facilitate regional coordination of solid waste services, the law allows local governments within a designated region to develop a single plan for the region, rather than develop individual plans for each locality in the region.

Under solid waste planning regulations, no permit for a new sanitary landfill, incinerator, or waste-to-energy facility or for an expansion of an existing sanitary landfill, incinerator, or waste-to-energy facility will be issued until the solid waste planning unit within which the facility is located has developed a solid waste management plan that has been approved by the Virginia Department of Environmental Quality (VDEQ). Regulations governing the development and submittal of solid waste management plans are codified in 9 VAC 20-130-10, *et seq.*

### 1.4 Solid Waste Management Goals and Objectives

Goals are general statements of accomplishments that Pittsylvania County hopes to achieve. It is an overarching statement that provides guidance, and a foundation for decisions and operations.

Objectives are specific statements defining the means by which progress towards the goal is to be achieved. Objectives may lend themselves to measurement and evaluation, and tend to be more definite than goals.

Policies and procedures are enacted by Pittsylvania County to ensure continued progress of the objectives and ultimate completion of the goals.

The Pittsylvania County Solid Waste Management Plan's primary goals, as well as the objectives that support them, are listed below.

***Goal 1: Provide a cost efficient service to the citizens of the County, regardless of area or population density.***

Objective 1.1: Evaluate populations, and place centralized solid waste collection facilities at locations that best meet the combined needs of the affected residents and the Department of Public Works, Solid Waste & Recycling Division;

Objective 1.2: Review annual reports for information about changes in solid waste generation and recycling rates.

***Goal 2: Reduce unlawful solid waste disposal.***

Objective 2.1: Coordinate with the County Sheriff's Department to report and enforce litter control and solid waste ordinances.

Objective 2.2: Promote litter control enforcement to personnel in the Department of Public Works, Solid Waste & Recycling Division, to include:

- i. Train collections staff on solid waste ordinances to promote litter control enforcement; and,
- ii. Support and maintain the solid waste ordinance enforcement office with the necessary tools to efficiently and effectively complete their tasks.

***Goal 3: Protect groundwater and air quality.***

Objective 3.1: Seek to provide environmental safeguards.

Objective 3.2: Continue to operate solid waste management facilities in accordance with the laws of the Commonwealth of Virginia.

***Goal 4: Establish a waste reduction policy that promotes and supports the Solid Waste Hierarchy.***

Objective 4.1: Educate the Board of Supervisors, administrators, and business and industry leaders about the financial and environmental benefits of diverting waste in accordance with the solid waste hierarchy.

Objective 4.2: Establish a policy to utilize recycled paper and other products by all County offices and departments, when practical.

Objective 4.3: Integrate recycling, recovery, and materials reuse programs and procedures at solid waste management facilities, when practical.

Objective 4.4: Educate the public at large about the financial and environmental benefits of diverting waste in accordance with the solid waste hierarchy.

Objective 4.5: Educate solid waste collections contractors about financial and environmental benefits of diverting waste in accordance with the solid waste hierarchy, and include requirements for minimum waste diversion and recycling in contract documents, wherever practical.

Pittsylvania County has met or surpassed existing state and federal laws on solid waste disposal by concurrently implementing projects for solid waste collection and recycling while providing environmental safeguards and enhancing the public view concerning the disposal of waste. Pittsylvania County will continue to make further advancements in solid waste collection and disposal, setting examples that, hopefully, will be followed by rural counties throughout the Commonwealth.

## 1.5 Geographic and Demographic Information

Information on transportation, jobs, housing, and urban concentration provides a profile of Pittsylvania County's role in the Western Piedmont Planning District. The information also describes the County's internal profile and sets the stage for the challenges of planning for and providing a solid waste management system that meets the needs of the largest county in Virginia. Based on demographic information obtained from the Virginia Employment Commission (VEC) and the U.S.

Census Bureau, projections for the next twenty years are provided in the following sections.

#### 1.5.1 Transportation

Pittsylvania County is located in the south-central Piedmont plateau region, bordering North Carolina and is adjacent to the City of Danville. Chatham, the county seat, is 140 miles southwest of Richmond, 68 miles southeast of Roanoke, 50 miles south of Lynchburg, and 96 miles northwest of Raleigh, NC. Access to major markets is guaranteed by a transportation network providing road access to all major metropolitan areas on the East Coast.

##### *A) Highways*

Two key highways serve the County. U.S. Route 29 is a major four-lane, north-south route from Washington, D.C., to Atlanta, Georgia, and is a direct link to Interstate 40 in Greensboro, NC and Route 66 in Warrenton, VA. U.S. Highway 58, the County's major east-west route, provides access to the Port of Hampton Roads, VA to the east and intersects with Interstate 85 at South Hill, VA, and Interstate 95 at Emporia, VA.

The Virginia General Assembly approved a "Super 58 Highway Project," which involved improvements to Route 58 from the eastern ports of Virginia to the western Virginia coal fields. Since Route 58 runs through Pittsylvania County, the area has benefited greatly from this project which provides safe and efficient access from the Midwest to the Hampton Roads region.

##### *B) Railroads*

The Norfolk-Southern Corporation, one of the largest railway systems in the nation, serves the Pittsylvania County area. The main line in Pittsylvania County provides daily freight train service. The Norfolk-Southern railroad system connects with other major railroads in the eastern part of the country. In addition, the eastern terminus at Norfolk, VA is served by one of the great ports on the East Coast. The Norfolk-Southern railway system connects the agricultural Midwest, the industrial Great Lakes, and the Allegheny coalfields with the Atlantic Coast. Major cities on the railway system include: Omaha, NE, Kansas City, MO, St. Louis, MO, Chicago, IL, Detroit, MI, Buffalo, NY, Cleveland, OH, Columbus, OH, Cincinnati, OH and Toledo, OH.

Amtrak, National Railroad Passenger Corporation provides passenger rail service to the Danville area with one northbound and one southbound train daily between New Orleans, LA and Washington, DC.

##### *C) Air*

The Danville Regional Airport (DAN) is located in the heart of the Piedmont at the intersection of Highways 58 and 29, approximately one mile from the 4-lane bypass, the Danville Expressway (Future I-785). DAN is designated as a General Aviation Airport. The airport is centrally located on the Eastern seaboard and is approximately one-hour away

by ground transportation to the Raleigh-Durham and Greensboro, North Carolina airports.

### 1.5.2 Employment

According to the Virginia Employment Commission (VEC), as of August 2020, the number of Pittsylvania County residents that were employed was 27,743, as compared to a total civilian labor force population of 29,512. The unemployment rate for the County residents was 6.0%, while the unemployment rate for the State of Virginia was 6.3%.

### 1.5.3 Businesses

According to 2018 US Census data, there are 849 employer establishments in Pittsylvania County.

The Virginia Enterprise Zone Program was established by the General Assembly in 1982 to assist business development and expansion in specially targeted areas throughout the State called *enterprise zones*. Pittsylvania County, along with the City of Danville, received a Joint Enterprise Zone designation (JEZ) from the Commonwealth of Virginia in 2001, which provides incentives to new and expanding industries in the area.

### 1.5.4 Population Data and Projections

The heaviest concentrations of population within Pittsylvania County are located in the urban fringe surrounding the City of Danville, particularly those sections north and west of the city. Nearly 30 percent of the County's total population is around the City of Danville.

In January 1988, land was ceded from the County to the City of Danville by annexation, which shifted 10,300 persons from the County to the City. In 2008 the Town of Hurt and Pittsylvania County went through a boundary adjustment of 610 acres consisting of the Burlington property. No population changes were involved.

Another significant population center is the Town of Chatham. Many of the County's residents live along the US Route 29 corridor between Chatham and the Town of Hurt.

Pittsylvania County population data and projections for the 20-year study period are provided in **Appendix 2**.

## 2.0 WASTE GENERATION AND COMPOSITION

### 2.1 Solid Waste Types

Solid waste is defined in the Virginia Solid Waste Management Regulations (9 VAC 20-81-95), which also incorporates the Federal definition of waste found in 40 CFR 261.2(a) by reference. Waste generated in Pittsylvania County can be classified into six general categories:

1. **Municipal Solid Waste (MSW):** MSW is comprised of wastes generated daily by residential, institutional, or commercial sources. Examples of MSW include household garbage, food



waste, inorganic wastes, container packaging, durable and non-durable goods and agricultural wastes.

2. Construction and Demolition Waste (C&D): C&D wastes are generated from the renovation, demolition or construction of homes, buildings or development activity. Examples of C&D waste include concrete, lumber, steel, wire, sheetrock/drywall, bricks, shingles, plaster, glass, metal and plastic construction materials.
3. Vegetative Waste (VW): VW includes yard waste generated by lawn or yard care activities and debris generated from land clearing activities or operations. Examples of VW include decomposable materials such as leaves, grass trimmings, brush, wood chips, tree/shrub trimmings, stumps, logs and tree trunks.
4. Consumer Separated Recyclables: Consumer separated recyclables are those materials separated and transported to recycling collection centers. Examples of recyclables include glass jars and bottles, plastic bottles, aluminum and steel food cans, newspapers, magazines, phone books, mixed office paper, cardboard, paperboard and appliances.
5. Waste Dirt: Waste dirt is generated in Pittsylvania County primarily from land clearing and development activities. In recent years, annual generation rates have steadily increased as a result of land development activities. All waste dirt received at the County landfill is utilized by operations for daily cover material.
6. Special Wastes: Special wastes are those wastes that require special handling and precautions prior to disposal or recycling, and that may be included in the above waste types. Examples of special wastes include waste lumber, petroleum contaminated soils, oil filters, wet cell batteries, refrigerated appliances, asbestos, sludge, waste oil, antifreeze, electronic devices, and waste tires.

## 2.2 Solid Waste Composition

Effective solid waste planning requires methods for approximating the quantities of each type of waste generated. Information available for identifying waste types, and estimating waste quantities in the County include:

- National estimates of municipal solid waste generated per person;
- National estimates for yard waste generation;
- National estimates for construction and demolition debris generation;
- Annual Pittsylvania County reports to the Solid Waste Information and Assessment Program (Form DEQ 50-25); and,
- Annual Pittsylvania County Virginia Locality Recycling Rate Reports (Form DEQ 50-30).

## 2.3 Solid Waste Generation Projections

### 2.3.1 Solid Waste Generation Rate Projection Method

Solid waste generation projections have been estimated on the following assumptions:

- Population is the best growth indicator and a good measure of waste generators in terms of volume and type of waste;
- Number of households is a growth indicator that also affects waste generation rates over time;
- Employment numbers indicate commercial activity and affect waste generation; and,
- Special waste generation can be estimated from a base number, such as the number of registered automobiles in the County to estimate the potential disposal of the various waste types associated with vehicles.

### 2.3.2 Solid Waste Generation Rate Projection

The solid waste stream for Pittsylvania County is anticipated to change in proportion to the County population. The projected volume of the solid waste stream is based on historic and current waste acceptance rates at the County landfill, and the projected change in population over the evaluation period. In addition, the quantity of waste that originates from outside the County, and is received at the County landfill, is included in the total waste stream projection, when that quantity is known or can be estimated.

Solid Waste Generation Projections are provided in **Appendix 3**.

## 3.0 SOLID WASTE MANAGEMENT SYSTEM

### 3.1 Integrated Solid Waste Management Strategy

Pittsylvania County regulations prohibit the disposal of solid waste anywhere except in a licensed facility or disposal area. County residents are assessed a nominal monthly fee for solid waste management services. While the County does not generally provide residential curbside solid waste collection services, County households are served by a variety of collection services, including the county green box and convenience center waste collection systems. It is believed that 95 percent of the County residents are served by collection services.

Green box sites were originally provided to serve rural communities, and some are still in operation in less densely populated areas. Each green box site is equipped with as few as one, and as many as nine, four cubic yard containers that are emptied by the County on a regular schedule, usually twice a week.

As demand for solid waste services has increased, the County developed a larger capacity system of centralized solid waste collection facilities (convenience centers) that were designed to replace the green box system. All green box sites within a four-mile radius of each convenience center have been

eliminated. Each convenience center site includes three primary components, although the actual number of each individual component may vary with location.

1. A 40 cubic yard enclosed compaction unit is provided for disposal of household waste. This closed operating system reduces vector control problems and improves the general appearance of the site.
2. A 40 cubic yard, open-top container is provided for the disposal of white goods and large household items (e.g.: bed springs, refrigerators, stoves, etc.). These sites have substantially reduced illegal dumping by creating facilities close to high generation areas. They allow better control of item separation, and prepare items for transport to metal recycling firms.
3. Recycling containers are located at each of the convenience center facilities, to provide an easy means for customers to separate recyclable materials.

All convenience center sites are manned operations that include: landscaping, a control building, water, lighting, and fencing capable of being secured if deemed necessary during non-operation hours. Shrubbery and flower beds are present at each site for added attraction. All green boxes, compactors, open tops, and recycling bins are maintained and serviced by County employees.

The locations of Pittsylvania County-owned solid waste facilities are shown in **Appendix 1, Figure 2.**

### 3.2 Collection

#### 3.2.1 Residential

Collection of residential solid waste in the County is provided through several methods:

- County green box and convenience centers;
- Private haulers in the densely populated areas (including the urban areas around Danville);
- Residential and commercial collection services are provided in the Towns of Chatham, Gretna, and Hurt through contractual agreements with private waste haulers; and,
- The Town of Chatham and the Town of Gretna provide curbside collection service for large items within the town limits.

#### 3.2.2 Commercial and Institutional

The County does not provide commercial solid waste collection services. Typically, commercial establishments contract with private waste collections services. Due to private collection, the total quantity of commercial waste generated in the County is not known. However, the majority is estimated to originate in the larger communities in the following percentages: Gretna 40%; Chatham 31%; Hurt 29%.

Institutional waste from private facilities is managed using private waste contractors.

Institutional waste from the County school system is managed using on-site containers. Certain boxes have been designated for “school use only” and painted yellow to reduce citizen use.

Commercial and institutional waste generated in the County is either taken to private waste disposal facilities, or to the Pittsylvania County landfill.

### 3.2.3 Industrial

Pittsylvania County does not offer industrial waste collection services. As with commercial solid waste, industrial waste generators typically contract with private haulers, and a few maintain captive disposal facilities for their own use.

## 3.3 Disposal Facilities

Disposal facilities provided in Pittsylvania consist of private and public facilities that either serve to dispose waste on-site or transfer waste out of the County.

### 3.3.1 First Piedmont Corporation Industrial Waste Landfill

The First Piedmont Corporation (FPC) Landfill is a non-captive industrial waste landfill located in Ringgold, Virginia, approximately 2.7 miles east of Danville. The facility is located directly northwest of the intersection of State Routes 734 and 735, approximately 1.1 miles south of the intersection of Routes 734 and 58, in Pittsylvania County, Virginia. Access to the site is via State Route 734. The landfill has been in operation since 1972, serves the disposal needs of the County by providing for the disposal of Industrial waste, commercial waste (excluding household and food wastes), construction and demolition debris (CDD), asbestos-containing waste materials, industrial sludge, special wastes, and ash from coal-burning power plants and other industrial sources.

The landfill operates under Virginia Department of Environmental Quality (DEQ) Solid Waste Permit Number 065 and encompasses approximately 124 acres. The facility is permitted in six separate phases and includes a separate asbestos disposal area.

It is anticipated that the FPC landfill will continue to serve the industrial solid waste disposal needs of the County through the planning period of this report.

### 3.3.2 First Piedmont Corporation Route 719 Rock Quarry Site (closed)

FPC is the Primary Responsible Party (PRP) for the First Piedmont Rock Quarry Site located at Route 360, State Road 719 in Pittsylvania County. The site was initially operated as a quarry for crushed stone. The 4.7 acre site consists of the abandoned quarry and adjacent land. The FPC leased the site in April 1970 to be used as a landfill for industrial and agricultural wastes until April 1975. Waste was disposed in the landfill until July 1972, until the Virginia Department of Health ordered waste disposal operations to stop due to a fire at the site.

The FPC Route 719 Rock Quarry site contains approximately 65,000 cubic yards of industrial and agricultural waste and approximately 3000 cubic yards of soil used as cover when the land filling stopped. The site was included on the National Priorities List (NPL) on July 1, 1987. Early sampling showed elevated levels of heavy metals including arsenic, cadmium, lead, and zinc from former disposal practices. Elevated levels of lead and zinc were found in surface water. The site is currently in the Operations and Maintenance phases and a deed restriction applies. The site is subject to a long-term monitoring requirement. Collection and treatment of leachate operate continuously, treating approximately 40,000 gallons per month. The responsible parties have implemented a long-term monitoring program that includes analyses of ground water and surface water. In October 16, 2020, the site was deleted from the NPL. The detailed Administrative Record can be examined at the Pittsylvania County Public Library located in Chatham, VA or online at: <https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0302708>

### 3.3.3 First Piedmont Corporation Transfer Station

In January 2003, FPC completed construction of its Transfer Station and began operations. This facility is designed to operate at a maximum capacity of 400 tons of waste per day, although the historical daily rate is approximately 250 tons per day. The FPC transfer station is anticipated to continue to serve the needs of the County through the planning period of this report.

The majority of the waste collected at the FPC Transfer Station is currently transported out of the County, to the Upper Piedmont Landfill (UPL) in Roxboro, North Carolina for disposal. FPC may choose to transport the waste collected at their transfer station to another permitted disposal facility in the future, as necessary.

### 3.3.4 Pittsylvania County Landfill

The County owns and operates a sanitary landfill near Dry Fork, VA, off State Route 836. The total site area is 450 acres. The site is crossed by Dominion Power and Transco Pipeline Company right-of-ways, and has some swampy and low-lying areas that are not suitable for landfilling.

The site is on gently rolling topography with slopes of eight percent, or less. The underlying soils are primarily of the metamorphosed sedimentary type. The soil association includes soils of the Cecil-Madison-Culling types and thus has only slight limitations in respect to land usage for landfills. The location is approximately 450 feet south of the Banister River, and several miles from the Staunton and Dan Rivers

There are no developed areas of residential or commercial land use nearby, and only agricultural and sparse rural residential uses are in the vicinity of the landfill.

The original municipal solid waste disposal area opened in 1974 and was approximately 85 acres. The landfill was expanded in 1985 with the purchase and partial permitting of an adjacent 365-acre site located on State Route 1041. The original 85-acre portion of the

landfill was closed on December 31, 1988. The remaining 365 acres is divided into a four-phase development program.

An annual fee of \$120 is paid by each County resident to help support solid waste operation costs. County residents are exempt from onsite landfill disposal fees, except for disposal of tires and yard waste. Commercial haulers are assessed a fee for disposal that fees ranges from \$5.00 per ton to \$42.00 per ton, depending on the category of waste.

The landfill does not accept hazardous or radioactive wastes.

The Pittsylvania County Landfill serves the disposal needs for residential and commercial wastes. The Landfill is designated a non-hazardous waste disposal facility, and is designed for the disposal of municipal solid waste, construction and demolition (CDD) debris, waste and brush, trees, tree trimmings, and stumps. No industrial, toxic or hazardous waste is accepted for disposal at this site. The facility currently utilizes the “area fill” method of solid waste disposal.

The Pittsylvania County Landfill is anticipated to continue to serve the needs of the County through the planning period of this report.

### 3.4 Recycling

Pittsylvania County’s role in solid waste diversion and recycling is to:

- Ensure that Pittsylvania County meets the Virginia DEQ mandated minimum recycling rate;
- Provide residents and businesses with opportunities to recycle in compliance with the County’s Recycling and Waste Reduction Ordinance;
- Offer recycling and options for recyclable or reusable materials.

The Pittsylvania County Department of Public Works has installed recycling bins at all of the compactor sites. At present, bins are available for mixed paper (cardboard, magazines and newsprint), aluminum and plastic. All recyclables are collected and taken to available markets.

The County plans to include recycling bins with the installation of additional convenience center sites over the evaluation period. The provision of recycling facilities assumes that an adequate market will be present for recyclable materials.

#### 3.4.1 Special Wastes

Special wastes are those solid wastes that require special handling before recycling or disposal. Special wastes that are collected at the Pittsylvania County Landfill, include:

##### *A) Waste Motor Oil:*

Pittsylvania County residents may deposit containerized waste oil at the landfill. Waste oil containers (typically quarts and 5-gallon containers) may be presented to County personnel

or left at the Waste Oil collection tank. County personnel will deposit the waste oil into the double walled, steel tank.

Waste oil is regulated as a hazardous waste in Virginia. However, because waste oil is recycled at the facility as a fuel, it is conditionally excluded from regulation as a hazardous waste. The primary use of the waste oil is as heating fuel for County maintenance facilities. In the event waste oil must otherwise be disposed of, a contractor will pump the tank as needed. The waste oil must be transported in accordance with Department of Transportation (DOT) regulations 40 CFR 279.43 and 49 CFR Parts 171-180. The waste oil transporter must have an EPA identification number and must placard (identify) the product in accordance with DOT regulations.

#### *B) Scrap tires*

Pittsylvania County residents can dispose of scrap tires at the Landfill for a small fee. The tires are collected whole and shipped offsite. If the tires are split, they are disposed of in the landfill.

#### *C) Scrap metal*

Scrap metal is collected at the Landfill and recycled offsite.

#### *D) Batteries*

Batteries are accepted at the landfill or collected from waste containers prior to disposal into the landfill. The batteries are stored in an on-site facility, and shipped offsite for recycling.

#### *E) Paint*

Paint is accepted at the landfill. All liquid paint must be mixed with a solidifying agent, such as kitty litter, prior to disposal into the landfill.

### 3.5 Public/Private Partnerships

The County is open to the possibility of developing public/private partnerships to assist in the delivery of solid waste management services. The County will continue to work with the state legislature in order to promote common sense laws that regulate packaging and provide state tax incentives for industries that recycle, and will continue to work with the towns in their effort to promote recycling and waste reduction.

The Pittsylvania Pet Center is a County-funded facility that works with Animal Control Officers in the enforcement of state and local laws, and advocates for the humane treatment of animals. The Doggie Bag Thrift Store, located at 11880 US-29 in Chatham, is a joint venture between the County and the Pittsylvania Society for the Prevention of Cruelty to Animals (SPCA). The County provides storage buildings at selected collection sites where residents can drop off items for reuse. These items are taken to the Doggie Bag Thrift Store and sold to provide funds for the Pet Center, as well as to promote reuse and reduce consumption. The Pittsylvania Pet Center is also supported

generously by local businesses.

#### 4.0 SOLID WASTE MANAGEMENT HIERARCHY

The Virginia Waste Management Board Regulations for Solid Waste Management Planning, 9 VAC 20-130-10 *et seq.*, require each solid waste management region to develop comprehensive and integrated solid waste management plans that, at a minimum, consider and address all components of the following hierarchy: (1) source reduction; (2) reuse; (3) recycling, (4) resource recovery (waste-to-energy); (5) incineration; and, (6) landfilling. A description of the existing status of each component of the hierarchy within Pittsylvania County is presented in the sections below.

##### 4.1 Source Reduction

The purpose of source reduction is to reduce the amount of waste generated at the source, or using less materials at the point of generation. Source reduction may mean a change in a method of packaging or a change in a process design to eliminate or reduce waste. Examples of ways an industry or business may reduce the amounts of waste they generate include reducing office paper by duplexing (double-siding) reports and issuing documents electronically; improving product design to use less materials; redesigning packaging to eliminate excess material; and purchasing products in bulk quantities.

Elimination of wasteful consumption by the public is a major factor in reducing the volume of the waste stream. Control of consumption is the primary means by which Pittsylvania County citizens of can contribute to source reduction. However, this is a social-economic issue as well as a waste management issue, and success will depend on public relations efforts to meet this end.

Source reduction of industrial or commercial wastes is influenced by federal and state regulations and mandates. In Pittsylvania County, much of the industrial base is textiles, paper products, wood products, road construction materials, and wire and cable.

For many types of manufacturing operations, packaging requires substantial cardboard and foam to protect goods from damage in transit. Little can be done to reduce this packaging due to the nature of the goods. The same is true for goods and raw materials received by area industries. Textile goods, both received and shipped, are not susceptible to extravagant packaging, since most is handled in bulk cartons for repacking by contract buyers outside this area.

There is currently only limited data available within the County indicating the efficacy of source reduction by manufacturing and business operations. In addition, standardized methods of quantifying source reduction activities are not readily available at this time.

There are several areas in which Pittsylvania County can promote source reduction. Businesses and industries in Pittsylvania County have a close working relationship with the Pittsylvania Chamber of Commerce. Promotional materials about source reduction will be distributed through the Chamber's office. Presentations on source reduction can be made at monthly Chamber meetings. In addition, news articles will be included in the Chamber's quarterly newsletter, which have the greatest impact by reaching the majority of businesses and industries in the County.



Pittsylvania County plans to take an active role in promoting waste reduction and reuse. The following activities will be initiated.

- Development and distribution of printed materials outlining suggestions for waste reduction and waste reuse for businesses and the general public;
- Provide information on programs/methods available to institute waste reduction programs and modify consumer habits; and,
- Practice source reduction within the County government.

#### 4.2 Reuse

Reuse is the process of separating a solid waste material from the waste stream and using it, without processing or changing its form other than size reduction, for the same or another end use. The reuse of products prolongs their useful life, thereby postponing the disposal or recycling of these materials. Reuse, is the repair, refurbishing, washing, or recovery of used products, appliances, furniture, and building materials for further use. Reuse activities in the County include the resale of used items through thrift shops, yard/garage sales, flea markets, and the reuse of items donated through charities, such as Goodwill.

Simple economics is one of the most persuasive justifications for employing reuse strategies. Reuse techniques help local governments conserve landfill space, reduce dependence on costly hazardous waste management practices, avoid long term liability associated with the mismanagement of wastes, protect workers and the public, and enhance public image.

Reuse may be achieved through three basic strategies:

1. The first method is inventory management and improved operations. Specific measures included in this category are: inventorying and tracing all raw materials, instituting purchasing controls that favor reusable materials or chemicals over non-reusable ones, and improving material receiving, storage, and handling practices.
2. The second method includes modifying and redesigning equipment to enhance recovery and reuse. Several measures considered to be production process changes are also available to local governments and include substituting non-hazardous for hazardous materials, segregating waste for recovery and reuse, and separating hazardous and non-hazardous wastes to enhance recovery and reuse.
3. Reuse may be achieved through the establishment of an internal clearinghouse for excess materials and chemicals and the use of waste exchanges. The concept of waste exchanges warrants special consideration by local governments. Waste exchanges operate on the principle that "one person's trash is another person's treasure." For the most part, waste exchanges are non- profit organizations that publish catalogues listing available wastes and wastes needed. Waste exchange link waste generators with waste users. For example, a solvent that is slightly off- specification may be unsuitable for a research laboratory but completely suitable for a less discriminating user in the manufacturing sector.

Pittsylvania County will, through its public relations program, encourage reuse of those items that are amenable to reuse such as bottles, cartons, demolition products, and similar items. In addition, reuse of items such as glass and bricks reduce handling of these materials in recycling, resource recovery, and incineration facility. Their elimination from the waste stream also reduces waste collection efforts of private and municipal systems.

Currently, there is limited data available within the County to evaluate reuse of materials. In addition, standardized methods for quantifying material reuse activities are not readily available at this time.

#### 4.3 Recycling

Recycling is the process of separating a waste material from the waste stream and processing it so that it may be used as a raw material for a product, which may or may not be similar to the original product. Recycling involves the separation of a waste material from the waste stream, collection, processing, marketing, sale, and utilization as a raw material.

Recycling is an important option for Pittsylvania County solid waste management. Diversion of materials from the waste stream into the recycling stream results in less waste managed by landfilling or incineration. Recycling helps to conserve natural resources by utilizing materials that have already been processed, rather than using virgin materials. Based on information published by the EPA, products containing recycled products generally perform as well as their virgin counterparts and, in some instances, even better.

##### 4.3.1 Pittsylvania County Recycling Action Plan

The Pittsylvania County Recycling Action Plan was adopted by DEQ July 5, 2005 and is outlined below:

- Source Separation: the Pittsylvania County landfill performs source separation of Principle Recyclable Materials (i.e., appliances, metal products, batteries, tires) generated from convenience centers and the landfill waste stream.
- Used Tire Collection: Pittsylvania County provides services for residents and businesses to recycle tires.
- Pittsylvania County provides containers for Mixed paper, aluminum, and plastic at convenience centers.
- Pittsylvania County has designated a Recycling Coordinator, with the responsibility to:
  - i. Work with citizens & businesses to help identify recycling markets and prices for all recyclable materials to assure the County's best benefit;
  - ii. Track costs;
  - iii. Provide monthly reports to and from the four jurisdictions as to their progress and assist Administration with reports for the Board of Supervisors;

- iv. Educate the public on the benefits of waste reduction and recycling;
- v. Become the primary contact for recycling countywide;
- vi. Project budget requirements of the Regional Recycling Program;
- vii. Work in conjunction with Pittsylvania County Schools to provide recycling education to County students;
- viii. Provide advertisement and press releases for recycling collections locations and County sponsored recycling events.

#### 4.3.2 Pittsylvania County Recycling Initiatives

Pittsylvania County envisions the following initiatives to support the Recycling Program:

- Pittsylvania County will propose for adoption an ordinance for the mandatory reporting of recycling activities to the County.
- Pittsylvania County's future expansion of collection sites will include the design for the placement of additional recycle containers.
- Pittsylvania County will continue to evaluate and determine, based on the facility operations, and upon approval of the Solid Waste Management Plan, if additional facilities and equipment for separations of solid waste are needed at the County Landfill, for the purpose of separation and storage of recyclable materials
- Pittsylvania County will continue to work with private waste contractors in providing the County school system with cardboard collection containers, and will add cardboard collection containers at the Pittsylvania County Administration complex and at the Pittsylvania County Landfill.
- Pittsylvania County will conduct surveys throughout the Pittsylvania County School System, the citizens and the businesses to determine if collection days for small batteries, computer and electronic equipment would be beneficial to the recycling program.
- With the new source separation activities being conducted at the County Landfill, the County will be able to better analyze the Municipal Solid Waste Stream and determine, based on population and national standards, what percentage of Principle Recyclable Materials (PRM) makeup the County's waste stream. This will provide the County with valuable information for future planning of recycling needs.
- Pittsylvania County will utilize the convenience center sites for distribution of recycling and waste reduction educational materials to County citizens.
- In the budget process, the County will add to the existing categories of solid waste collection, solid waste disposal, and a new category: solid waste recycling, to reflect the actual costs of operating under the Solid Waste Management Regulations and

the Code of Virginia. This will serve as an update as to the success or weak points in the Solid Waste Planning. Along with the costs, a yearly report will be presented to the Board to show costs avoided due to recycling, source reduction, and reuse activities of the previous fiscal year.

#### 4.3.3 Recycling Rate Calculation

VA Code 10.1-1411 states that solid waste planning units shall maintain a minimum recycling rate of 25%, unless the population density of the solid waste planning unit is less than 100 persons per square mile, in which case the minimum recycling rate is 15%. VA Code 10.1-1411 also states that solid waste planning units with populations of 100,000 or below are required to submit recycling data and recycling rate calculations required in 9 VAC 20-130-120 every four years. The method of calculating the recycling rate is stipulated in 9 VAC 20-130-120. Data used in the Recycling Rate Calculation originated on form DEQ 50-30, Locality Recycling Report.

The Pittsylvania County Recycling Rate Calculation is provided in **Appendix 4**.

Pittsylvania County is aware that recycling material markets change daily, and that the composite makeup of Solid Waste stream is based on many factors such as weather and economic stability, as well as consumer confidence. Education on recycling, reuse and recovery plays a major component in any plan. With the Recycling Coordinator giving annual reports and the ability to continually update and change the Solid Waste program, the goals of Pittsylvania County, as well as the state mandates of the Commonwealth of Virginia, should be achieved.

#### 4.4 Resource Recovery

Resource recovery is the processing of solid waste in order to generate energy, and is commonly known as “Waste to Energy”. A few methods of converting solid waste to useful energy are briefly discussed below.

##### 4.4.1 Mass Burn Incinerator

Mass burn is a process which involves the direct feeding of municipal solid waste into an incinerator. Mass burn incinerators are defined and categorized by the type of furnace (waterwall or refractory) and in terms of their type of construction (modular or site-built). Waste is burned at temperatures ranging from 1,000 to 1,800 degrees Fahrenheit. The heat is used to produce steam for district heating and cooling, generation of electricity using steam turbines, or both. In addition, the volume of waste is reduced by as much as 90% through the thermal conversion process. Mass burn plants have extensive air pollution control systems, and produce fly and bottom ash residues that must be managed.

##### 4.4.2 Cogeneration

Cogeneration is the production of both steam and electricity simultaneously, or by one

another, and thus both are available as marketable energy resources. Cogeneration can be accomplished by exhausting the steam from the generator at temperature and pressures that satisfy a market need, such as for heating, or for a variety of industrial processes. Large incinerators can produce enough steam to heat and cool hundreds of buildings.

#### 4.4.3 Refuse Derived Fuel (RDF) Systems

Refuse derived fuels (RDF) are generated by processes by which waste is separated into combustible and non-combustible fractions, and the combustible fraction is further processed into RDF, which is a consistent material with predictable burn characteristics. The RDF is produced as either “fluff” or solid (pellet) form, for combustion in an incinerator. The RDF product is an improved form of solid waste, with a more consistent heat production, and uniform size that allows optimization of the incineration process.

#### 4.4.4 Anaerobic Digestion

Anaerobic Digestion is the use of biological processes to degrade organic materials in the absence of oxygen, with the production of methane gas. Similar to RDF fuel processing, the feedstock to an anaerobic digester should be consistent in terms of carbon content, and should have a minimum of inert materials such as sand and grit. Anaerobic digestion can occur as wet or dry processes. The gas produced can be extremely high quality and can be used as fuel for heaters, boilers, and natural gas powered vehicles and equipment.

#### 4.4.5 Electricity Purchase Agreements

Essential to the feasibility of all resource recovery facilities is the availability of a purchaser for the power or steam generated by thermal processes. Under the Public Utilities Regulatory Policies Act of 1978 (PURPA), a utility must purchase the electricity produced by a “small power generator.” The generator in this case is the resource recovery facility which utilizes energy recovery for the production and sale of electricity. PURPA states that each State or regional electrical management system must set the purchase price of power. In Virginia, this is regulated by the State Corporation Commission (SCC), which requires utilities to file the price based on the “avoided cost” to the utility to produce electricity. Connection to a local electrical grid is a lengthy legal process that can take several years to complete.

### 4.5 Incineration

Unlike in the Resource Recovery section above, incineration without energy or steam production is simply mass burning. The primary advantage to incinerating solid waste is reduction in volume, which can be as high as 90%. Due to the variability of materials in municipal solid waste, the combustion byproducts can be unpredictable. For this reason, solid waste combustion is highly regulated, with stringent air emission control requirements.

### 4.6 Landfilling

Landfilling is the placement of solid waste and burial under layers of dirt. Modern landfills, like

Pittsylvania County Landfill Phase 2, are highly engineered facilities that are designed to protect the environment from contaminants. Landfilling is the least desirable tier in the solid waste hierarchy because there are multiple means by which a landfill can fail to prevent contamination from escaping. Landfills are also highly regulated and often require dedicated personnel simply to manage regulatory obligations.

Financially, landfills are expensive to design, expensive to build, require annual monitoring for leakage, are a persistent liability for the owner, and require years of maintenance and monitoring long after the revenue-generating waste has ceased.

## 5.0 IMPLEMENTATION PLAN

Implementation of the Pittsylvania County SWMP will be accomplished by three (3) primary pathways:

1. Pittsylvania County Code;
2. Pittsylvania County Board of Supervisors; and,
3. Public Participation and Comment.

The manner in which each of these pathways support the implementation of the SWMP is described in the following sections.

### 5.1 Pittsylvania County Code

The Pittsylvania County Code of 1976 has four (4) separate Ordinances specifically dedicated to the regulation of solid waste and litter control. The Ordinances provide a legal framework necessary to maintain compliance with the Virginia Solid Waste Management Regulations (VSMR), and also provides for enforcement of the Ordinances, fees to support the execution of the SWMP, and penalties for parties that are not compliant.

- Chapter 17, Solid Waste Disposal Ordinance — This Ordinance establishes criteria for sanitary refuse containers, such as placement and use, fees for commercial and industrial users who request disposal by County operated trucks, responsibilities, storage and collection practices, and details the acceptable disposal of solid waste.

Article III of the Solid Waste Disposal Ordinance establishes the Solid Waste Disposal Fee to provide additional funds for the procurement, development, maintenance or other improvements to the landfill, and for future reserves related to capping and closing the landfill. The fee may also be utilized for the purchase, or to subsidize the purchase, of equipment used for the collection of residential solid waste disposed of at the landfill.

- Chapter 29, Waste Ordinance — The Waste Ordinance was established for the purpose of protecting, promoting, and preserving the environment that is conducive to public health and welfare, and preventing the depletion of our natural resources. The Ordinance details solid

wastes which are prohibited, disposal approval requirements, and public participation.

- Chapter 32, Solid Waste Siting Ordinance — The Solid Waste Siting Ordinance was established so that no application for a permit for a solid waste management facility can be considered complete when filed with the Commonwealth of Virginia unless there is a certification from the governing body of the county, city or town in which the facility is to be located. It further details the restrictions which apply to the areas where these facilities may be located.
- Chapter 33, Litter Control Ordinance — The Litter Control Ordinance was passed in 1989 and codified in the Pittsylvania County Code. It states that it is unlawful to litter or dispose of any solid waste in any area other than a designated receptacle. The Ordinance prohibits dumping, even on private property, and provides enforcement and penalty mechanisms.

The Sheriff's Department, County Administrator, Director of Public Works and other designated agents, are authorized to cite offenders. The Circuit Court, Juvenile & Domestic Relations Court, and General District Court continue to be cooperative in assigning misdemeanors to violators.

Solid Waste and Litter Control Ordinances are included in **Appendix 5**.

## 5.2 Pittsylvania County Board of Supervisors

The Pittsylvania County Board of Supervisors is very conscious of solid waste management, and is responsible for authorizing Agreements related to solid waste management. Copies of pertinent Agreements are provided in **Appendix 6**.

The Board of Supervisors is also responsible for approval of the regional SWMP. The Virginia Administrative Code, Section 9 VAC 20-130-120.F, states that a locally developed Solid Waste Management Plan shall include a copy of the local governing body's resolution adopting the solid waste management plan. The letter from the Commonwealth of Virginia establishing the solid waste management region, dated November 1, 1991, and the Pittsylvania County Board of Supervisors Solid Waste Management Plan Adoption, resolution #2021-07-02, dated July 20, 2021, are provided in **Appendix 7**.

## 5.3 Public Participation and Comment

The Pittsylvania County Government believes in public participation, and in soliciting public comments and opinion concerning the SWMP. Public Comments to the Solid Waste Management Plan are provided in **Appendix 8**

# 6.0 FUNDING & CONSTRUCTION SCHEDULES

## 6.1 Administration

The Board of Supervisors is responsible for funding and assuring proper operation of solid waste

facilities, including the Pittsylvania County Landfill. General operations of this facility are supervised by the Department of Public Works. The Board of Supervisors has a Solid Waste Committee, consisting of three Board members, that meets monthly and reports monthly to the full Board of Supervisors on the progress and deficiencies within the Solid Waste Collection and Disposal systems of the County.

Planned activities anticipated over the 20-year planning period include, but are not limited to, the following:

- Testing costs affiliated with leachate collection and treatment will continue for the life of the Landfill;
- Testing of groundwater monitoring wells will continue for the life of the landfill;
- Testing and maintaining routine methane gas monitoring will continue for the life of the landfill;
- Three new convenience center sites are scheduled for construction in 2022;
- Existing convenience center maintenance, upgrade, and realignment activities will continue at a rate of 2 sites per year;
- Additional landfill equipment will be purchased in 2021 to accommodate increased waste tonnage, and existing equipment will be budgeted for replacement when near the end of its service life;
- A new landfill Cell will be constructed in 2021;
- Landfill cell construction and select landfill closure construction will occur over a reasonable timeline, to spread out costs and maintain operational flexibility; and,
- Development of the next landfill Phase (Phase 3) will be necessary to meet continuing waste disposal needs over the planning period.

## 6.2 Funding

Sources of revenue for Pittsylvania County Solid Waste Management include:

- Pittsylvania County residents pay a nominal solid waste fee annually to support the costs associated with solid waste management.
- The Pittsylvania County Landfill generates revenue in the form of tipping fees, generally levied on commercial tonnage, and other charges that include tire and yard waste surcharges. The revenues from tipping fees help offset some of the landfill operating costs.
- Nominal revenue from recyclable materials— these revenues have been subject to extreme market volatility and lack of U.S. processing facilities.

The existing Pittsylvania County Landfill infrastructure should continue to meet most waste disposal needs for the 20-year planning period.



The Table below provides an example of the budget for solid waste collections and operations.

Program Area	2020 Budget	Description
Operations & Disposal	\$1,147,973	<u>Pittsylvania County Landfill</u> Daily Operations includes personnel, contract labor and support, supplies for road and vegetation maintenance, small equipment, shop and safety supplies, heavy equipment repair/ maintenance/ replacement and rental
Collection	\$1,185,254	<u>Collections systems</u> Includes maintenance of collection vehicles, collection facilities, hauling of waste to the landfill from compactor and green box sites within the county

### 6.3 Construction Schedule

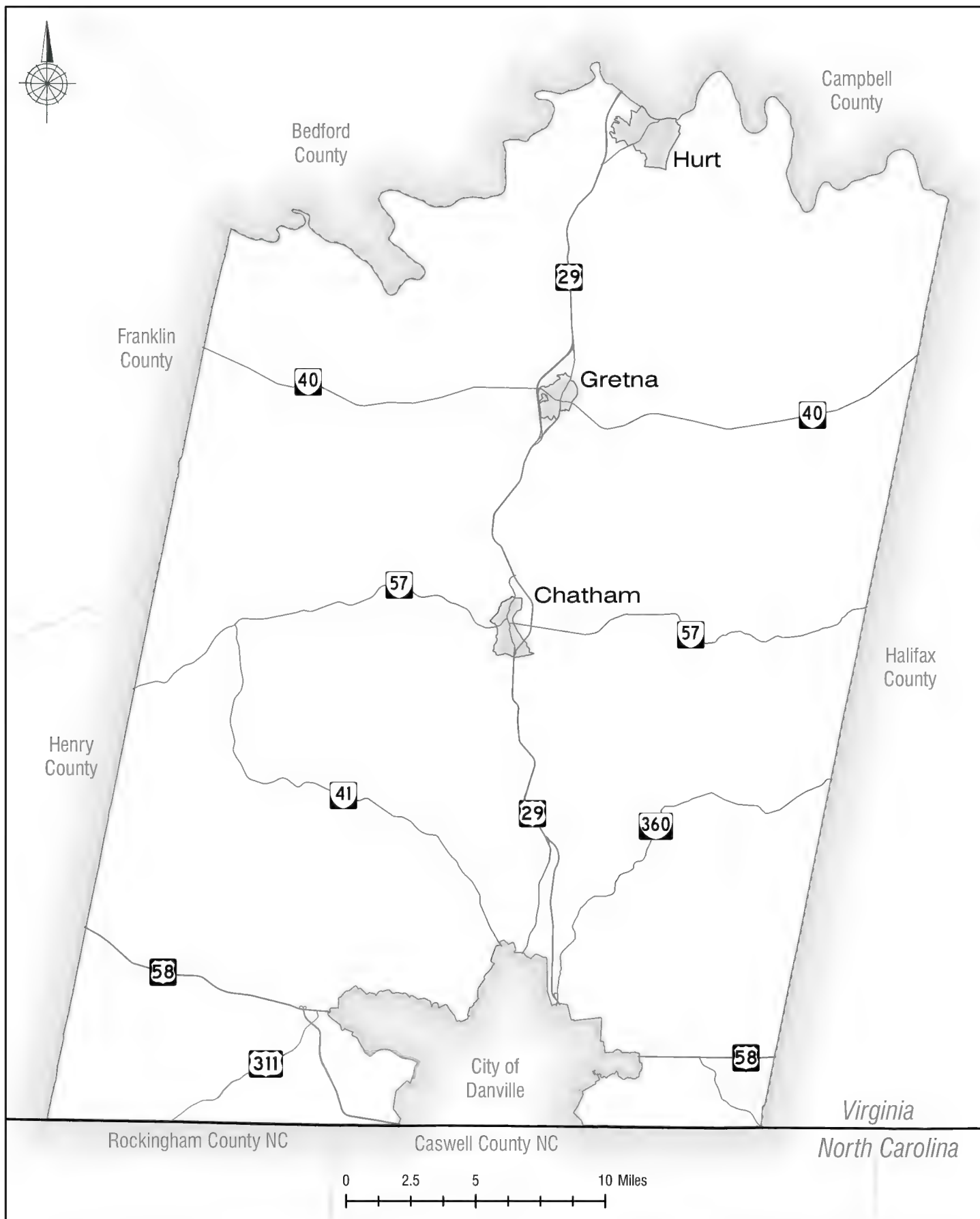
Below is a tentative construction schedule for the 20-year planning period.

Construct Cell C of Phase 2	Summer 2021
Phase 3 design and Permitting	Fall 2021 to 2025
Partial Closure of Phase 2	Spring 2023
Initial Construction Phase 3	Spring 2025
Phase 3 Buildout Completed	Spring 2041

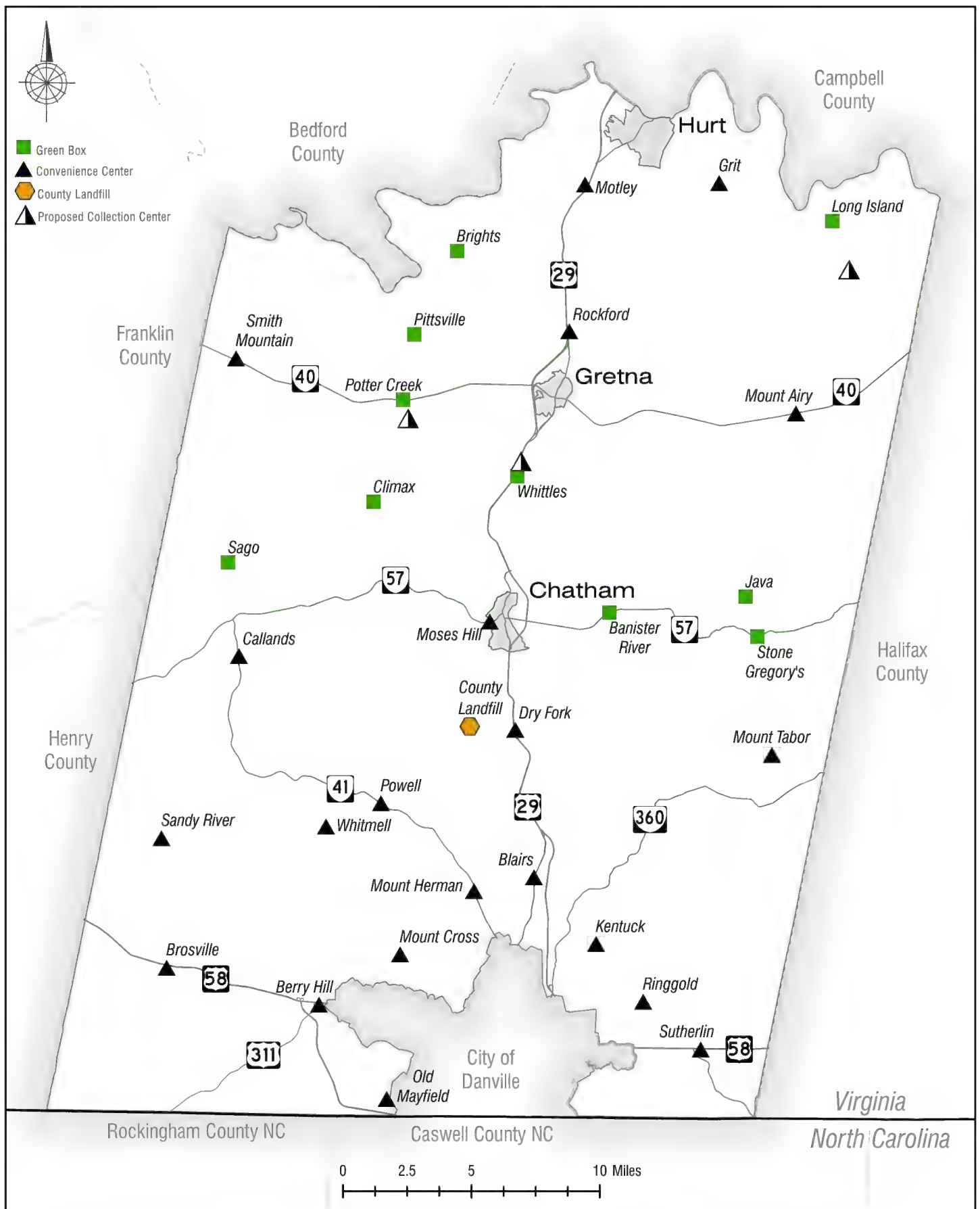
Following completion of Phase 3, the landfill can expand into Phase 4, which will provide an estimated 25 years of additional capacity, based on the current waste acceptance rate.

## APPENDIX 1

### FIGURES



**PITTSYLVANIA COUNTY, VIRGINIA**  
**FIGURE 1: VICINITY MAP**



**PITTSYLVANIA COUNTY, VIRGINIA**  
**FIGURE 2: SOLID WASTE FACILITY LOCATIONS**

## APPENDIX 2

### PITTSYLVANIA COUNTY POPULATION PROJECTION

## Appendix 2 – Pittsylvania County Population Projection

The projected change in Pittsylvania County population over the evaluation period of 2020 - 2040 is presented in **Table 1.5.4**.

Table 1.5.4: Pittsylvania County Population Projection, 2020 - 2040			
Year	Population	% Change	Data Source
2000	61,745	-	<sup>1</sup> 2015 SWMP
2010	63,506	2.9%	<sup>2</sup> U.S. Census, 2010
2018	61,676	-2.9%	<sup>3</sup> 5-year ACS
2020	61,379	-0.5%	<sup>4</sup> UVA, Weldon Cooper Center
2030	60,523	-1.4%	<sup>4</sup> <i>ibid</i>
2040	58,946	-2.6%	<sup>4</sup> <i>ibid</i>

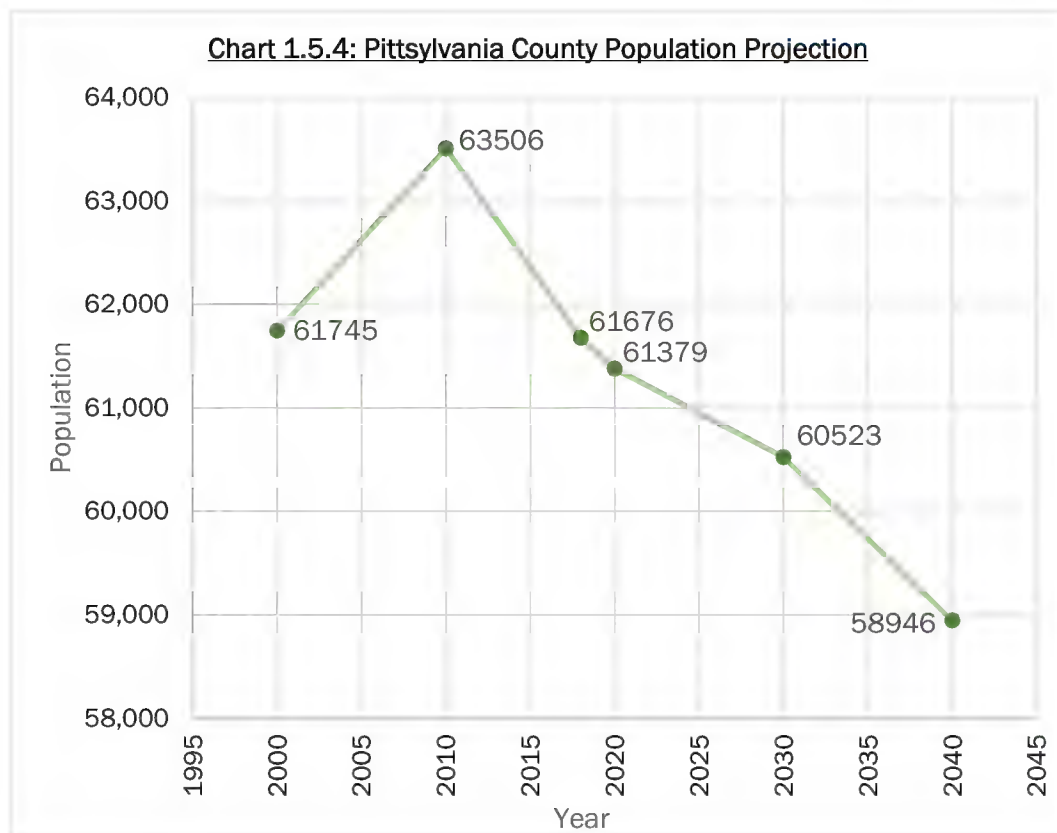
<sup>1</sup> Solid Waste Management Plan for Pittsylvania County; June 2015; as prepared by Dewberry®.

<sup>2</sup> United States Census Bureau, 2010 Decennial Census data; <https://data.census.gov>

<sup>3</sup> United States Census Bureau, American Community Survey (ACS) data; <https://data.census.gov>

<sup>4</sup> University of Virginia, Weldon Cooper Center for Public Service,  
<https://demographics.coopercenter.org/virginia-population-projections/>

Data from **Table 1.5.4** is presented graphically on **Chart 1.5.4**.



## APPENDIX 3

### PITTSYLVANIA COUNTY SOLID WASTE GENERATION PROJECTION

## Appendix 3 – Pittsylvania County Solid Waste Generation Projection

### 1. Annual Pittsylvania County Municipal Solid Waste Generation Estimates

The United States Environmental Protection Agency (US EPA) evaluates national solid waste data and determines a quantity of municipal solid waste (MSW) generated on a *per capita* basis. The national generation rate assumed to be comparable to the Pittsylvania County local generation rate, and is used to project annual MSW generated in the County based on the population (see Appendix 2).

Estimated annual MSW generation is presented for historical and projected population; **Table 2.3.1.**

<b>Table 2.3.1: Annual Pittsylvania County Municipal Solid Waste Generation Estimates</b>					
<b>Year</b>	<b>Population</b>	<b>Waste Generation<sup>1</sup> (lbs/person/day)</b>	<b>Waste Generation (lbs/year)</b>	<b>Waste Generation (tons/year)</b>	<b>Waste Generation (tons/day)</b>
2000	61,745	4.51	101,641,532	50,821	139
2010	63,506	4.51	104,540,402	52,270	143
2018	61,676	4.51	101,527,947	50,764	139
2020	61,379	4.51	101,039,041	50,520	138
2030	60,523	4.51	99,629,936	49,815	136
2040	58,946	4.51	97,033,958	48,517	133

<sup>1</sup> Source: <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials#Generation>

### 2. Pittsylvania County Landfill Waste Types, 2018

The waste types and quantities accepted by the Pittsylvania County Landfill in 2018, and the quantity of waste diverted from the landfill, are presented in **Table 2.3.2.** MSW is received at the landfill in quantities that are approximately 20% lower than are predicted by the generation projections. The reason for the disparity can be attributed to the use of private waste contractors by many County residents.

<b>Table 2.3.2: Pittsylvania County Landfill Waste Types, 2018</b>			
<b>Material</b>	<b>Waste Accepted (ton/year)</b>	<b>Waste Diverted (ton/year)</b>	<b>Waste Landfilled (ton/year)</b>
Municipal Solid Waste	35138	0	35138
Construction and Demolition Debris	11453	8702	2750
Industrial Waste	21	0	21
Regulated Medical Waste	0	0	0
Vegetative/Yard Waste	276	0	276
Incineration Ash	0	0	0
Sludge	3	0	3
Tires	29	10	19
White Goods	22	22	0
Friable Asbestos	0	0	0
Petroleum Contaminated Soils	0	0	0
Other Wastes	103	0	103
<b>Total</b>	<b>47,045</b>	<b>8,734</b>	<b>38,307</b>

Source: As reported by Pittsylvania County to the Virginia Department of Environmental Quality on form DEQ 50-25.



## Appendix 3 – Pittsylvania County Solid Waste Generation Projection

### 3. Pittsylvania County Landfill Projected Waste Acceptance

Based on information provided by Pittsylvania County, waste quantities are anticipated to increase significantly in 2021. Since this increased volume may include waste from outside the region, the use of population to estimate the volume of waste under management will not be directly applicable. In addition, starting in 2018 the landfill began diverting Construction and Demolition Debris (CDD) waste from the landfill at a rate that is currently approximately 75%. Historical and projected waste quantities are presented in Table 2.3.3.

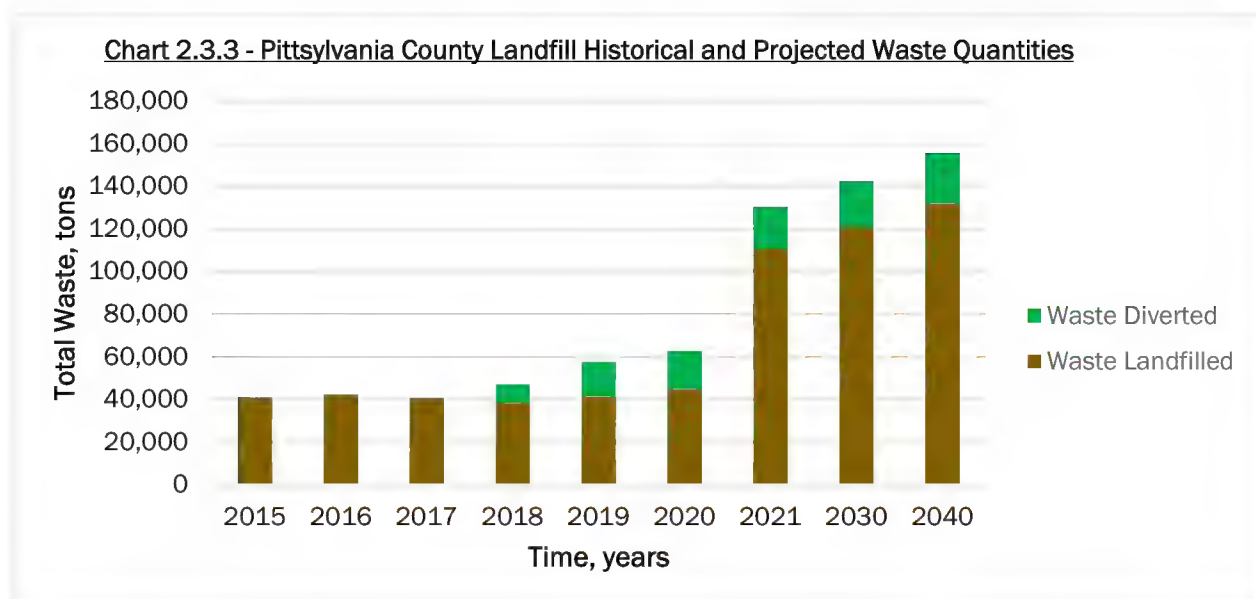
**Table 2.3.3: Pittsylvania County Landfill Historical and Projected Waste Quantities**

	2015 <sup>1</sup>	2016 <sup>1</sup>	2017 <sup>1</sup>	2018 <sup>1</sup>	2019 <sup>1</sup>	2020 <sup>2</sup>	2021 <sup>2</sup>	2030 <sup>2</sup>	2040 <sup>2</sup>
Total Waste Landfilled (tons)	40,977	42,331	40,656	38,307	41,213	44,823	110,472	120,749	131,981
Total Waste Diverted (tons)	36	26	75	8,734	16,307	18,048	19,727	21,562	23,568
Total Waste Accepted(tons)	41,012	42,357	40,730	47,045	57,520	62,871	130,200	142,311	155,549
Percent Increase	--	3%	(-4%)	16%	22%	9%	107%	9%	9%

<sup>1</sup> Data for the years 2015-2019 are as reported by Pittsylvania County to the Virginia DEQ on form DEQ 50-25.

<sup>2</sup> Projected waste quantities (2020, 2021, 2030, 2040) assume an annual increase of total volume that is equal to the average of annual increases for 2015-2019, i.e.: 9%. The projected waste quantity for 2021 is adjusted to the total amount expected to be received, based on information provided by the County.

Data from Table 2.3.3 is presented graphically on Chart 2.3.3.



## APPENDIX 4

### PITTSYLVANIA COUNTY RECYCLING RATE CALCULATIONS

## Appendix 4 – Pittsylvania County Recycling Rate Calculation

### 1. Applicability

In accordance with the Virginia Administrative Code, 9 VAC 20-130-125 A, the minimum recycling rate required for each Virginia solid waste planning unit is 25%, unless the population density is less than 100 persons per square mile according to the most recent United States Census, in which case the required recycling rate is 15%. The population recorded for Pittsylvania County for the 2010 U.S. decennial census is 63,506 and the County land area is 982.89 mi<sup>2</sup>.

Therefore:  $\frac{63,506 \text{ persons}}{982.89 \text{ mi}^2} = \frac{64.6 \text{ persons}}{\text{mi}^2} \rightarrow$  The required recycling rate is 15%

### 2. Method of Calculating Recycling Rate

The recycling rate is calculated in accordance with the formula provided in 9 VAC 20-130-125 C.

The Base Recycling Rate, *B*, and the Adjusted Recycling Rate, *A*, are given by:

$$\text{Equation (1) } B = \frac{P}{M} \times 100 \quad \text{Equation (2) } A = \frac{P + C}{M + C} \times 100$$

And, if a source reduction program is in place,  $S = B + 2\%$ , or  $S = A + 2\%$

Where:

*A* = adjusted recycling rate; (%)

*B* = base recycling rate; (%)

*C* = total added mass allowed by 9 VAC 20-130-125 B2, B3, B4; (mass)

*M* = sum of Principal Recyclable Materials (PRM) and Municipal Solid Waste (MSW); (mass)

*P* = total Principal Recyclable Materials (PRM); (mass)

*S* = base or adjusted recycling rate with SRP (source reduction program) credit; (%)

### 3. Annual Recycling Rate Calculation Results

The Pittsylvania Solid Waste Management Region does not claim credit under 9 VAC 20-130-125 B, and does not have a Source Reduction Program (SRP). The Annual Recycling Rate calculation is given by Equation (1); calculation results are based on DEQ Form 50-25; **Table 3.4.1**.

<b>Table 3.4.1: Pittsylvania County Annual Recycling Rate Calculation Results</b>				
Based on data submitted on DEQ Form 50-30, Locality Recycling Report				
Year	Principle Recyclable Material (tons)	Supplemental Recyclable Material (tons)	Total Municipal Solid Waste Disposed (tons)	Recycling Rate
2012	16,103	-	31,118	34.1 %
2016	21,122	-	42,537	33.2 %
2020				
2024				
2028				
2032				

## APPENDIX 5

### PITTSYLVANIA COUNTY SOLID WASTE DISPOSAL ORDINANCES

**PITTSYLVANIA COUNTY CODE**

**CHAPTER 17**

**SOLID WASTE DISPOSAL**

**Article I.**

**General Considerations**

§ 17-1. Title and Purpose.

§ 17-2. Definitions Article II. Containers, Storage, Collection, and Disposal of Solid Waste.

**Article II.**

**Containers, Storage, Collection, and Disposal of Solid Waste**

§ 17- 3. Sanitary Refuse Containers.

§ 17- 4. Pittsylvania County Landfill.

§ 17- 5. Collection Licenses.

§ 17- 6. Disposal of Solid Waste.

§ 17- 7. Appeals.

§ 17- 8. Penalties.

§ 17- 9. User Limitation.

§ 17-10. Severability.

**Article III.**

**Solid Waste Disposal Fee**

§ 17-11. Title; Incorporation of State Code.

§ 17-12. Solid Waste Disposal Fee; Fee Schedule; Use of Fee; Effective Date.

§ 17-13. Payment of Solid Waste Disposal Fee.

§ 17-14. Collection of Solid Waste Disposal Fee; Commission.

§ 17-15. Due Date for Solid Waste Disposal Fee.

§ 17-16. Application of Solid Waste Disposal Fee to Towns in County.

§ 17-17. Late Payment Provisions, Lien.

§ 17-18. Solid Waste Disposal Fee Exemptions.

§ 17-19. Reserved.

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**CHAPTER 17**  
**SOLID WASTE DISPOSAL**

**Article I.**

**General Considerations**

**SEC. 17-1. TITLE AND PURPOSE.**

This Ordinance shall be known as the "Solid Waste Disposal Ordinance of Pittsylvania County." The Board of Supervisors of Pittsylvania County, Virginia, acknowledges that landfill space is a limited and valuable resource. To that end, this resource be best utilized to provide for the health, safety, and welfare of County citizens. It is the desire of the Board of Supervisors that this resource be used in such a manner as to provide for the disposal of only acceptable waste, and to provide for an orderly method of the generation, storage, collection, and disposal of solid waste, such that the environment is enhanced, and the health, safety, and welfare of the citizens of Pittsylvania County is protected.

**SEC. 17-2. DEFINITIONS.**

- A. "Person" shall include any person, persons, association, partnership, firm or corporation.
- B. "Disposal" shall mean the disposition of solid waste.
- C. "Solid Waste" shall mean all refuse except body wastes, and sludges, and shall include garbage and rubbish.
- D. "Garbage" shall mean all animal, vegetable, and mineral wastes resulting from the handling, preparation, cooking or consumption of foods.
- E. "Residents" shall mean those persons residing in Pittsylvania County, unless otherwise designated herein.
- F. "Sanitary Landfill" shall mean that site or those sites operated by and established by Pittsylvania County and permitted by the Department of Environmental Quality of the Commonwealth of Virginia for the disposal of solid waste.
- G. "Industrial Waste" means all solid waste resulting from manufacturing and industrial processes such as, but not limited to, those carried on in factories, processing plants, refineries, slaughter houses, and mills.
- H. "Words or Terms" words in the present tense shall include the future; words in the singular shall include the plural and vice versa; the masculine shall include the feminine and the neuter, the word "shall" mandatory and not discretionary, and reference to this ordinance includes all ordinances amending or supplementing the same.

I. "Commercial Hauler" shall mean any person, partnership, corporation, business firm, or organized system in operation to make pickups of solid waste or garbage for disposal and charges a fee or tax for the service, including such non-licensed services as maybe performed by town or city departments or their employees. The term "Commercial Hauler" shall not mean any individual Residential Hauler as that term is defined herein, or the Department of Public Works of Pittsylvania County, Virginia. (B.S.M. 10/17/06)

J. "Household Solid Waste" shall mean solid waste generated solely by residential use, and shall not include any industrial waste, agricultural waste, as defined in the Virginia Department of Environmental Quality, Solid Waste Management Regulations, as amended, or hazardous waste as defined herein. Carpet shall be deemed household solid waste if it is disposed of by the occupant and/or owner of the residential dwelling. Residential construction and/or demolition waste, create by and disposed of by the occupant and/or owner of his/her dwelling, shall be deemed household solid waste. (B.S.M. 1/21/14)

K. "Individual Residential Hauler" shall mean a citizen who resides in Pittsylvania County, Virginia, who hauls only household solid waste generated solely in the household in which that individual resides and does not do so for profit. It shall be unlawful to place dead animals, manure, brush, wood, tires or hazardous waste in any refuse container.

L. "Acceptable Waste" means non-hazardous "municipal solid waste," "industrial waste," and "agricultural waste," "construction waste," "debris waste," "demolition waste," as defined in the Virginia Department of Waste Management Solid Waste Management Regulations, amended, (the "DWM Regulations"), and such other wastes as the County shall agree in writing to accept from time to time, subject to such limitations and exclusions as are imposed by Applicable Law and excluding all Unacceptable Wastes. (B.S.M. 10/17/06)

M. "Uninhabitable Dwelling" means any dwelling that is not suitable to live in as determined by the County's Building Official, or his/her designee, following an onsite inspection of the dwelling due to conditions including, but not limited to, the following: having no heating system; having no functional water or sewer system; not being structurally sound or safe for human occupancy; having no operable electrical system or a disconnected electrical meter, or for any other reason related to habitability as determined by the Building Official, or his/her designee.

## **Article II.**

### **Containers; Storage; Collection; and Disposal of Solid Waste**

#### **SEC. 17-3. SANITARY REFUSE CONTAINERS.**

A. Sanitary refuse containers may be provided by the County Government for household solid waste and only for the use of the individual Pittsylvania County residential hauler.

B. No person shall dispose of any waste in sanitary refuse containers provided by the County except for the individual residential hauler as defined herein, and no person shall deposit any waste other than household solid waste as defined herein into any sanitary refuse container provided by



the County. No commercial hauler shall dispose of solid waste in any collection container served by the County's Solid Waste disposal trucks. (B.S.M. 8/18/98)

C. Commercial and industrial establishments may provide a suitable container and location for a container which is to both be approved by the Director of Public Works if they choose to be serviced by the County's Solid Waste disposal trucks. The rates for service to private containers by the County waste disposal trucks shall be annually set by the Board of Supervisors.

\*Fees will be due in advance each month. Company owned or privately-owned apartment developments or trailer courts will be treated as commercial accounts.

D. The County shall not be responsible for damages to privately owned containers that are emptied by the Solid Waste Department and the owners of such containers shall save the County harmless against any liability or claim of liability relative to such containers.

E. Public picnic and campgrounds and/or recreation areas will be considered a residential user provided no fees are charged for the use of the facilities.

F. Owners of containers shall maintain adequate servicing area as determined by the Director of Public Works and be responsible for keeping the service area in a clean and orderly fashion.

G. No material outside the containers will be accepted, and where such material exists, the perpetrator will be in violation of the County Ordinance on Solid Waste Disposal, Section 17-6.

H. Containers located in trailer parks shall be placed at or near entrance.

I. It shall be unlawful for any person to remove any refuse or other substance from such refuse container. It shall likewise be unlawful for any person to stand or climb on or place himself, or any other person, within or on any such refuse container.

\*The foregoing shall not apply to any County employee in the course of regular duties or to any other person authorized by the County Administrator or County Official in charge of the Solid Waste Program.

J. All garbage shall be drained free of liquids before being placed in the refuse containers.

K. Reserved. (B.S.M. 11/20/18)

L. It shall be unlawful to place dead animals, manure, rubbish, tires or hazardous waste in any refuse container. (B.S.M. 8/18/98)

M. It shall be unlawful to litter container sites or to place any solid waste outside the container.

N. Some of the container sites provided by the County also include sites for compactor units. Compactor units are typified and defined as large, open sites for the disposal of household solid waste, which includes a mechanical device for compacting solid waste. Compactor sites may also include a large open top box for the disposal of household furniture and appliances generated solely by residential use in the County by an individual residential hauler. Household furniture and appliances shall be accepted and disposed of only in the open top boxes located at the compactor sites, and only those generated by the individual common residential hauler. (B.S.M. 8/18/98)

O. It shall be unlawful to place solid waste in any street, alley, and stream, body of water, woods, or any other public place or upon private property. It shall be unlawful for the owner or the occupant of any real property to allow solid waste to remain upon the property more than thirty (30) days after the owner or occupant knew or reasonably should have known of the presence of the solid waste. (B.S.M. 10/17/06)

1.) There shall be a rebuttable presumption that the owner and/or the occupant of real estate has placed solid waste or has allowed solid waste to remain on the property in violation of this Ordinance if solid waste remains on the property and visible from either a public right-of-way, road, or adjoining property for thirty (30) days or longer. (B.S.M. 10/17/06)

2.) The owners of property therein shall, at such time or times as the Board of Supervisors may prescribe, remove therefrom any and all trash, garbage, refuse, litter, and other like substances which might endanger the health or safety of other residents of the County. The County may, whenever the Board of Supervisors deems it necessary, after reasonable notice, have such trash, garbage, refuse, litter, and other like substances which might endanger the health of other County residents, removed by its own agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the County as taxes are collected. (B.S.M. 5/16/06)

3.) Trash, garbage, refuse, litter, and other debris shall be disposed of in personally owned or privately-owned receptacles that are provided for such use and for the use of the persons disposing of such matter or in authorized facilities provided for such purpose and in no other manner not authorized by law. (B.S.M. 5/16/06)

#### **SEC. 17-4. PITTSYLVANIA COUNTY LANDFILL.**

A. The Pittsylvania County Landfill shall be operated as an Enterprise Fund wherein all solid waste received at the Pittsylvania County Landfill must be billed at the current approved tipping fee in accordance with Section 17-4(C). Revenues to the Enterprise Fund shall be derived from the County's consumer utility tax and the tipping fees.

B. No commercial hauler shall be permitted to dispose of solid waste in the Pittsylvania County Landfill without having first entered into a written contract for such disposal with the Board of Supervisors of Pittsylvania County, Virginia, acting through its duly authorized County Administrator or his/her designee.

C. The fee for disposal of acceptable solid waste at the County Landfill shall be set annually by the Board of Supervisors.

D. Incorporated Towns of Pittsylvania County will be charged a disposal fee in accordance with Sections 17-4(A) and (C) provided the County does not collect a utility tax within the incorporated Town limits. (B.S.M. 6/20/00)

E. For County residents and County businesses only, tires may be disposed of only at the County Landfill at a rate set annually by the Board of Supervisors. (B.S.M. 11/20/18)

F. Hazardous chemicals, liquid waste, hazardous waste, highly combustible waste, sludge, and other semi-solid fluids shall not be accepted at the Pittsylvania County Sanitary Landfill except by prior approval by the Board of Supervisors and shall be disposed of only as approved by the Department of Environmental quality of the Commonwealth of Virginia. To this end, all waste presented for disposal at the landfill may be inspected prior to disposal. All waste presented for disposal shall be presented in such a manner as to allow for easy inspection. In the event that unacceptable waste is detected or suspected, the County Administrator, Assistant County Administrator, Director of Public Works, or head of operations at the landfill, or any designee thereof, shall refuse to accept such waste for disposal, until such waste is determined to be acceptable waste by analysis from the Department of Environmental Quality or its designee.

G. It shall be unlawful for any person to enter the area of the Pittsylvania County Sanitary Landfill in which solid waste is deposited and remains uncovered and not buried who is not authorized by the Director of Public Works, or the head of operations at the landfill, or any designee thereof. It shall likewise be unlawful for any person to remove, disturb, or search in the solid waste or engage in the practice of sorting through or scavenging in or about the solid waste deposited at the Pittsylvania County Sanitary Landfill. The foregoing shall not apply to any County employee in the regular course of his duties or any other person authorized by the County Administrator or County official in charge of the Solid Waste program.

H. Regulations governing the Landfill shall be posted at the Landfill gate. The County Administrator or other designee of the Board of Supervisors shall arrange special hours of operations on Saturdays and holidays, as the need arises, and such special open hours shall be reported to the public through the news media.

I. Solid waste tonnage accepted at the County Landfill shall be determined by the County's Landfill permit.

J. Subject to all conditions contained inappropriate in the State and Federal permits, an oil recycling program for the citizens and commercial businesses of Pittsylvania County shall be operated at the Pittsylvania County Landfill. The landfill operation manager, or his designated assignee, in his sole discretion may reject or deny acceptance of any oil, for any of the following reasons:

- Inability to inspect oil
- Suspicion of contamination
- Failure to submit documentation of origin
- Proof of residency. Failure to provide proof of residency
- Unavailable storage capacity at the landfill.

- Any and all requirements placed on the County by the Department of Environmental Quality, United States Environmental Protection Agency, or any other regulatory agency with jurisdiction in the Commonwealth of Virginia. No oil shall be accepted from a commercial hauler. (B.S.M. 8/18/98)

#### **SEC 17-5. COLLECTION LICENSES**

A. License Required. It shall be unlawful for any commercial hauler to collect, transport, or dispose of any solid waste or recyclable material generated in the County, without first obtaining a solid waste collection license from the Board of Supervisors.

B. Application. The applicant shall apply to the Commissioner of Revenue upon such forms as required by the Commissioner. Each application shall contain the name, address, and telephone number of the place where the applicant proposes to maintain his equipment and vehicles and the number and description of vehicles to be used. Each application shall state the number and type of vehicles, include their year, make, model, gross weight, tare weight, capacity, vehicle identification number, and Virginia Department of Motor Vehicles (“DMV”) license number. Each application shall state the type or types of solid waste to be collected, the manner of collections, and the place and method of disposal.

C. Fee. The fee for a license required by this Section shall be fifty dollars (\$50.00) per vehicle, up to a maximum of two hundred fifty dollars (\$250.00) per company. The fee shall be for all vehicles operating within and registered with Virginia DMV to that company, as certified in the license application. This fee may be modified from time-to-time by Board of Supervisor’s action. All licenses shall be issued for the calendar year, or such portion thereof as shall remain after the issuance thereof. There shall be no proration of the fee for a license issued after the beginning of any calendar year.

D. Inspection of Vehicles and Premises. The County Administrator, or his/her duly authorized representative, shall have the authority to inspect or cause an inspection of the premises and vehicles named and described in the license application for the purpose of determining whether the premises and vehicles comply with the provisions of this Article or any other Ordinance, Resolution, and/or County regulation. If the Permit has been issued, the Permittee shall correct any deficiencies immediately upon notification by the County, or its duly authorized representative, and said vehicle shall not be used for refuse collection until the deficiencies have been corrected.

E. Display/Possession of Permit. Each refuse collection vehicle must always have in its possession a signed and validated copy of the approved Permit. Failure to present this approved license at the weight scale building upon entering the County Landfill will result in that vehicle being turned away and dumping of its contents will not be allowed.

F. Annual Renewal. Each licensee shall annually submit a renewal application of his/her permit no later than the 1st of December by paying the current annual license fee. The annual renewal application must indicate any changes from the original license application and must be signed by a business owner.

G. Violation/Revocation/Penalties. If a licensed commercial hauler fails to follow these regulations, the County reserves the right to impose reasonable fines and/or revoke the license to operate within the County, subject to any appeal provisions described herein.

Penalties shall be as outlined in Sec. 17-21. Each day of failure to comply with the regulations shall constitute a separate violation.

H. Minimum Standards. Any licensee as described herein who does not comply with the following minimum standards shall be subject to suspension of the license issued under this Section:

1. Haulers transporting solid waste within the County shall prevent or remedy any spillage from vehicles or containers used in the transport of such solid waste. The vehicles shall be securely covered, watertight, strongly built, and kept thoroughly cleaned and well maintained. Except for roll-offs, open trucks, or trucks covered with tarps will not be used for the collection of solid waste.

2. Solid waste shall be collected in vehicles which are suitable and dedicated for use in performance of such collection, which bear prominent legible marking, signs, or decals identifying them as being solid waste collection vehicles and bearing the name, address, and telephone number of the licensed hauler.

3. Haulers shall maintain minimum liability coverage on each vehicle used for such collection as mandated by the Commonwealth of Virginia.

4. The premises wherein vehicles, equipment, and offices are maintained shall be kept in a clean and sanitary condition. An accumulation of solid waste or recyclable material which tends to create a health problem or nuisance shall not be permitted on such premises.

5. All vehicles shall be emptied before being placed on the licensee's premises for overnight parking (except for Sunday nights only, where the vehicle will be emptied first thing Monday morning).

#### **SEC. 17-6. DISPOSAL OF SOLID WASTE.**

A. It shall be unlawful for commercial haulers to dump, burn, destroy, or otherwise dispose of solid waste within the jurisdictional limits of the County of Pittsylvania, except at those sites so approved by the County and permitted by the Department of Environmental Quality of the Commonwealth of Virginia.

B. It shall be unlawful for any person to place solid waste in any street, alley, stream, body of water, woods, field, highway, ditch, or any other public place or upon private property except as provided for in this ordinance. It shall be unlawful for the owner or the occupant of any real property to allow solid waste to remain upon the property more than thirty (30) days after the owner or occupant knew or reasonably should have known of the presence of the solid waste. There shall be a rebuttable presumption that the owner and/or occupant of real estate has placed solid waste or has allowed solid waste to remain on the property in violation of this Ordinance if solid waste remains on the property and visible from either a public right-of-way, road, or adjoining property for thirty (30) days or longer. (B.S.M. 10/17/06)

C. It shall be unlawful for licensed collectors or commercial haulers to dump, bury, burn, destroy, or otherwise dispose of sludge within the jurisdictional limits of the County, except with the expressed written permission of the Board of Supervisors, acting by and through its County Administrator.

#### **SEC. 17-7. APPEALS.**

Appeals from decisions of the County Administrator or other designee of the Board of Supervisors in matters referred to above in this Ordinance may be appealed to the Board of Supervisors if such is submitted in writing; delivered in person or by mail, within ten (10) days to the County Administrator, and the decision of said Board as to such appeals duly noted shall be final.

#### **SEC. 17-8. PENALTIES.**

A. Any Owner of real property located in Pittsylvania County who, after reasonable notice, fails to remove from said real property any and all trash, garbage, refuse, litter, and other substances which might endanger the health and safety of other residents of Pittsylvania County shall be subject to the penalty as provided for in Section 15.2-901(C), Code of Virginia, 1950, as amended.

B. It shall be unlawful for any person to dump or otherwise dispose of trash, garbage, refuse, litter, or other unsightly matter, on public property, including a public highway, right-of-way, property adjacent to such highway or right-of-way, or on private property without the written consent of the Owner thereof or his Agent. Any violation of this ordinance shall be punished as provided for in Section 33.2-802, Code of Virginia, 1950, as amended. (B.S.M. 6/02/08)

#### **SEC. 17-9. USER LIMITATION.**

Only solid waste originating within the County of Pittsylvania or one (1) or more of the incorporated Towns therein, shall be accepted at the Pittsylvania County Landfill or collection sites, unless the disposer of solid waste originating from outside of the County has entered into a written Agreement with the County for a disposal rate to be annually set by the Board of Supervisors. (B.S.M. 11/20/18)

#### **SEC. 17-10. SEVERABILITY.**

If any phrase, clause, sentence, paragraph, or Section of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and Sections of this Ordinance.

Authority: Section 15.2-928, Code of Virginia, 1950, as amended; for penalty provisions *see* Section 15.2-1429, Code of Virginia, 1950, as amended.

This Amended Ordinance was adopted by the Board of Supervisors on October 21, 1997. (B.S.M. 8/18/98); (B.S.M. 6/20/00); (B.S.M. 5/16/06); (B.S.M. 6/02/08); (B.S.M. 10/17/06); (B.S.M. 1/21/14); (B.S.M. 10/05/15) (B.S.M. 11/20/18).

### **Article III.**

#### **Solid Waste Disposal Fee**

#### **SEC. 17-11. TITLE; INCORPORATION OF STATE CODE.**

This Article shall be known as the “Solid Waste Disposal Fee Ordinance” of the County of Pittsylvania, Virginia. The terms and provisions of § 15.2-2159, Code of Virginia, 1950, as amended, are adopted and incorporated herein by express reference and deemed a part of this Article.

#### **SEC. 17-12. SOLID WASTE DISPOSAL FEE; FEE SCHEDULE; USE OF FEE; EFFECTIVE DATE.**

Pursuant to the provisions of and authority contained in § 15.2-2159, Code of Virginia, 1950, as amended, the Board of Supervisors does hereby establish a Solid Waste Disposal Fee. A Solid Waste Disposal Fee Schedule shall be adopted annually by the Board of Supervisors via the Budget Resolution. Said fee shall be effective immediately upon adoption by the Board of Supervisors, and not exceed the actual cost incurred by Pittsylvania County (the “County”) in procuring, developing, maintaining, and improving its Landfill and for such reserves as may be necessary for capping and closing such Landfill in the future. The Solid Waste Disposal Fee shall also be able to be used to purchase or subsidize the purchase of equipment used for the collection of residential solid waste disposed of at the County’s landfill. Such fee shall be deposited in a special account to be expended only for the purposes for which it was levied.

#### **SEC. 17-13. PAYMENT OF SOLID WASTE DISPOSAL FEE.**

Unless specifically exempted in this Ordinance/Article, every person owning or operating any house, apartment, rental house, rental residential unit, multiple residential units, trailer camp,

manufactured housing parks, or trailer court (“households”) in the County or the Towns contained in the County shall pay said Solid Waste Disposal Fee based on said Solid Waste Disposal Fee Schedule. Said fee shall be assessed, individually, to/for each rental unit/residence, rental and/or non-rental.

**SEC. 17-14. COLLECTION OF SOLID WASTE DISPOSAL FEE; COMMISSION.**

The County may either collect the fee itself or enter into a contractual agreement to be negotiated by the County Administrator, or his/her designee, with a public service corporation as set forth and authorized in § 15.2-2159, Code of Virginia, 1950, as amended, for the collection of the fee. The commission for such collection service shall not exceed five percent (5%) of the amount of the fees due and collected.

**SEC. 17-15. DUE DATE FOR SOLID WASTE DISPOSAL FEE.**

Unless collected by a public service corporation pursuant to § 17-14 *supra*, an invoice for said fee shall be included in the December tax assessment mailing. Payment of said fee shall be made to the Pittsylvania County Treasurer’s Office. For FY 2018/19, unless exempted by § 17-15 *infra*, households assessed the Solid Waste Disposal Fee shall pay the fee no later than the twentieth (20th) day of December. For FY 2018/19 only, no late payment penalty and interest shall accrue on the Solid Waste Disposal Fee. For all Fiscal Years after FY 2018/19, unless exempted by § 17-15 *infra*, the Solid Waste Disposal Fee shall be billed twice annually, and all households assessed the fee shall pay the fee no later than the twentieth (20th) of June and the twentieth (20th) of December annually. Payment for the full amount of the annual Solid Waste Disposal Fee shall be the responsibility of the owner of record of the household as of January 1st of the assessed property for the corresponding year. There shall be no proration of the Solid Waste Disposal Fee.

**SEC. 17-16. APPLICATION OF SOLID WASTE DISPOSAL FEE TO TOWNS IN COUNTY.**

Households located in the Towns of Hurt, Gretna, and Chatham shall also be assessed the Solid Waste Disposal Fee in accordance with the provisions of this Article.

**SEC. 17-17. LATE PAYMENT PROVISIONS; LIEN.**

A. If payment of the fee is not made, then a notice of delinquency will be mailed to each property owner(s) not having paid the fee, advising that collection proceedings will begin in thirty (30) days. Supplemental assessments may be issued after the due dates and such assessments will be due thirty (30) days after mailing.

B. Any person, owner, or household who fails to make payment of such fee or fails to make payment of such fee by the date in § 17-15 herein shall be required to pay penalty on said fee as set forth in § 58.1-3916, Code of Virginia, 1950, as amended



C. Any person, owner, or household who fails to make payment of such fee or fails to make payment of such fee by the date in § 17-15 herein shall be required to pay interest on said unpaid fee as set forth in § 58.1-3916, Code of Virginia, 1950, as amended

D. Any payment of the Solid Waste Disposal Fee shall be credited first against the most delinquent Solid Waste Disposal Fee account due and owing.

E. Payment of all due and owing Solid Waste fees, penalties, and accrued interest shall be required prior to approval of an application for rezoning, special exception, variance, or other land use permit.

F. To the extent allowed by Virginia law, failure to pay the Solid Waste Disposal Fee can result, after due process, in the placement of a lien on the property in question in favor of the County.

#### **SEC. 17-18. SOLID WASTE DISPOSAL FEE EXEMPTIONS.**

The following are the only exemptions from payment of the Solid Waste Disposal Fee:

A. Partial Exemption for Qualified Elderly or Disabled Persons: As authorized by § 15.2-2159(D)(6) of the Code of Virginia, 1950, as amended, there is a partial exemption of fifty percent (50%) from this Solid Waste Disposal Fee for households of the elderly and/or disabled who qualify for such exemptions. Said exemption shall be governed by the conditions and income criteria as set forth in § 6-6 of the Pittsylvania County Code, as amended. Any and all information of or related to income or disability, and verification of same, shall be provided upon application for said exemption in accordance with the policy and procedures set forth by the Pittsylvania County Board of Supervisors and/or the Pittsylvania County Commissioner of the Revenue's Office.

B. Waste Not Disposed of in County's Landfill Exemption: As authorized by § 15.2-2159(A), Code of Virginia, 1950, as amended, no Solid Waste Disposal Fee shall be levied upon persons whose residential waste is not disposed of in the County's landfill, or disposed in the County's landfill by a private hauler that pays the County's standard landfill tipping fee, provided said non-disposal is documented, to the reasonable satisfaction of the Commissioner of Revenue's Office, by the collector or generator of such waste. Documentation provided by a collector of such waste pursuant to this exception shall not be disclosed by the County to any other person. Current local, state, and federal regulations prohibit the burning and/or burial of residential waste on private property without adequate and appropriate permitting.

C. Uninhabitable Dwelling: Unless exempted by Sections 17-18(A) or (B) above, any household that is inhabitable as of January 1st of each year shall be assessed the Solid Waste Disposal Fee. Any house that is uninhabitable as of January 1st of each year, as determined by an inspection conducted by the County's Building Official, or his/her designee, shall be exempt from payment

of the Solid Waste Disposal Fee, until and unless said household becomes inhabitable. The County shall have the ability to charge a fee for any inspection required under this Section. Said inspection fee shall be set annually by the Board of Supervisors.

**SEC. 17-19. RESERVED.**

**SEC. 17-20. SOLID WASTE DISPOSAL REGULATIONS; SCAVENGING; OWNERSHIP OF SOLID WASTE.**

It shall be unlawful to dump, destroy, or otherwise dispose of solid waste within the jurisdictional limits of the County, except at approved and designated solid waste convenience centers, subject to the following limitations and conditions:

A. Only household trash, residential waste, and compactable refuse shall be deposited at solid waste convenience centers.

B. No business, industrial, construction, demolition, medical, automotive, yard, landscaping, or commercial waste shall be deposited at solid waste convenience centers.

C. No solid waste shall be deposited at a solid waste convenience center by non-County residents, except as provided or by local, state, or federal anti-littering programs.

D. Unless subject to a special contract approved by the Board of Supervisors, no solid waste generated or originating from outside of the County shall be deposited in the Landfill.

E. The following items shall also not be deposited at solid waste convenience centers:

(1) Explosives, gasoline, kerosene, and waste oil.

(2) Furniture or other bulky residential household solid waste items that will not fit into a compactor chamber. Said items may be placed only in an open top box. Said items shall not be disposed of at green box sites.

(3) Dead animals.

(4) Materials which constitute a hazard to personnel handling solid waste or to the public.

F. It shall be unlawful to scavenge or attempt to salvage materials from waste delivered to or deposited at a solid waste convenience center site or the Landfill.

G. Upon delivery of solid waste to an approved solid waste convenience center or the Landfill, all rights of ownership and exclusive possession to lawfully deposited solid waste shall vest in Pittsylvania County.

**SEC. 17-21. VIOLATIONS OF CHAPTER/ARTICLE; PENALTIES.**

A. Each day of violation of each requirement of this Chapter or Article shall constitute a separate offense.

B. Any person who violates any provision of this Chapter or Article shall be guilty of a Class 1 Misdemeanor, unless a different penalty is specified.

C. Any person who knowingly makes any false statement, representation, or certification regarding the origin of any waste disposed of under this Chapter or Article, shall be guilty of a Class 1 Misdemeanor and shall be subject to suspension from the use of the County's Landfill and any County Collection Centers for a period of time not to exceed one (1) year.

D. The County shall be entitled to an award of reasonable attorney's fees and cost in any action brought under this Chapter or Article which it substantially prevails on the merits of the case, unless special circumstances would make an award unjust.

E. Violations of Sections 17-3 and/or 17-20 of this Chapter or Article shall be punishable by a fine in the following amounts:

1. For a first violation within a twelve (12) month period, fifty dollars (\$50.00), if paid within ten (10) days, or one hundred dollars (\$100.00), if not paid within ten (10) days.

2. For a second violation within a twelve (12) month period, one hundred dollars (\$100.00), if paid within ten (10) days, or two hundred dollars (\$200.00), if not paid within ten (10) days.

3. For a third violation within a twelve (12) month period, two hundred dollars (\$200.00), if paid within ten (10) days, or three hundred dollars (\$300.00), if not paid within ten (10) days.

4. For a fourth violation within a twelve (12) month period, five hundred dollars (\$500.00), if paid within ten (10) days, or six hundred dollars (\$600.00), if not paid within ten (10) days.

5. For a fifth violation within a twelve (12) month period, one thousand dollars (\$1,000.00), if paid within ten (10) days, or one thousand one hundred dollars (\$1,100.00), if not paid within ten (10) days.

F. The County's Solid Waste Department shall prepare an appropriate ticket and ticket stub for use in enforcing the provisions of this Chapter or Article. Any Law Enforcement Officer, Treasurer's Office employee, or County Staff member charged with enforcing this Chapter or Article shall issue to the offender a ticket. The ticket stub shall be turned in to the Pittsylvania County Treasurer's Office. The ticket and stub shall have corresponding numbers. The ticket shall contain the following statement:

**NOTICE:** You may pay this by appearing at the Pittsylvania County Treasurer's Office, 11 Bank Street, Chatham, Virginia, 24531, between the hours of 8:00 a.m. and 5:00 p.m., Monday through

Friday. If you prefer, you may mail the ticket and fine to the aforementioned Office. Checks should be payable to the Pittsylvania County Treasurer. If you fail to pay this ticket with ten (10) days, then further action will be taken which could result in you having to appear in court and paying additional costs.

(1) In lieu of payment of the fine, such person may contest the ticket, by notifying the Pittsylvania County Treasurer and the Clerk of the General District Court of Pittsylvania County.

(2) If the ticketed person does not pay the fine to the County's Treasurer, the Treasurer shall notify such persons that he may pay the fine, plus a penalty in the sum of ten dollars (\$10.00), within five (5) days of the receipt of the notice, at the Treasurer's Office.

(3) If a person to whom the above Notice is provided/given is fails to pay the fine and penalty within the time prescribed in the Notice, the Treasurer shall notify the Officer who issued the original ticket and the Treasurer shall then cause to be issued a complaint, summons, or warrant for the delinquent ticket. The person in question may pay the fine to the Treasurer prior to the date he/she is to appear in court, provided he/she also pays necessary costs and the penalty. The Treasurer's receipt shall be conclusive evidence of such payment.

#### **SEC. 17-22. SEVERABILITY.**

Should any section or provision of this Ordinance/Article be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance/Article as a whole or any part thereof, other than the part so declared to be invalid. (B.S.M. 8/17/2018)

**PITTSYLVANIA COUNTY CODE**  
**CHAPTER 29**  
**WASTE ORDINANCE**

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## CHAPTER 29

### WASTE ORDINANCE

#### Article I.

##### **SEC. 29.1. DEFINITIONS.**

1. “Aquifer” means a geologic formation, group of formations, or a portion of a formation capable of yielding usable quantities of ground water to wells or springs.
2. “Ash” means waste material produced from an incineration process or any combustion. Ash types include: fly ash, bottom ash, and incinerator residue.
3. “Board” means the Pittsylvania County Board of Supervisors.
4. “Bottom Ash” means ash or slag remaining in an incinerator or boiler unit after combustion.
5. “By Product Material” means a material that is not one of the primary products of a production process and is not solely or separately produced by the production process. By-product does not include a co-product that is produced for the general public's use and is ordinarily used in the form that is produced by the process.
6. “Commercial Chemical Product” means a chemical substance which is manufactured or formulated for commercial, agricultural or manufacturing use. This term includes a manufacturing chemical intermediate, off-specification chemical product, which, if it met specification, would have been a chemical product or intermediate. It includes any residues remaining in the container or the inner liner removed from the container that has been used to hold any of the above which have not been removed using the practices commonly employed to remove materials from that type of container and has more than one inch of residue remaining.
7. “Commercial Waste” means all solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, office buildings, restaurants and shopping centers and similar commercial facilities.
8. “Construction/Demolition/Debris Landfill” means a land burial facility engineered, constructed and operated to contain and isolate construction waste, demolition waste, debris waste, inert waste, or combinations of the above solid wastes.
9. “Construction Waste” means the waste building material refuse and other largely inert solid waste resulting from construction, remodeling, repair operations on houses, commercial buildings, pavements, and other structures. Construction waste includes lumber, wire, sheetrock, broken brick, shingles, glass pipes, asphalt, concrete, and other non-hazardous,

non-soluble unwanted or unused construction material. Paints, coatings, solvents, asbestos, any liquid, compressed gases or semi-liquids are not construction wastes. A mixture of construction waste with any amount of other type of solid waste will cause it to be classified as other than construction waste.

10. “Contamination” means the degradation above background of naturally occurring water, air, or soil quality either directly or indirectly as a result of human activity.
11. “Corrosivity” means solid waste which is acidic and is capable of corroding metal (such as tanks containers drums and barrels).
12. “Debris Waste” means inert solid wastes such as stumps, wood chips, brush, leaves from land clearing operations brick and' block.
13. “Demolition Waste” means that solid waste which is largely inert, resulting from the demolition or razing of buildings, roads, and other man-made structures. Asbestos is not demolition waste.
14. “Disposal” means the intentional discharge, disposition, injection, spilling, leading, or any solid waste into or on land or water so that the solid waste or any constituent thereof may enter the environment (i.e. air, soil, surface water, or ground water) or to otherwise discard.
15. “EPA” means the United State Environmental Protection Agency.
16. “Facility” means a solid waste management processing, treatment, storage, disposal site, or resource recovery site which requires a state waste management permit, including any and all contiguous land, structures, and other apprenticeship and improvements thereon used for solid waste disposal or solid waste storage, and associated activities. Facility types include sanitary landfills, construction/demolition/debris landfills, industrial waste landfills, long-term retrievable storage facilities, resource recovery systems which require a state waste management permit, storage facilities, temporary storage facilities, surface storage facilities, treatment centers, transfer stations, underground storage facilities, incinerators and composting operations. A facility may consist of more than one operational unit.
17. “Fly Ash” means ash particles collected from air pollution attenuation devices on combustion units, such as those that burn fossil fuels or incinerate solid waste.
18. “Garbage” means all putrescible wastes, including discarded materials composed of vegetable or other organic matter, animal offal and carcasses and recognizable industrial by-products, hut excluding sewage and human waste.
19. “Groundwater” means any water, except capillary moisture, beneath the land surface in the zone of saturation or beneath the bed of any stream, lake, reservoir or other body of surface water within the boundaries of this state; whatever may be the subsurface geologic structure in which such water stands, flows, percolates, or otherwise occurs.

20. “Hazardous Waste” means any solid waste garbage, refuse, or sludge or any-other waste material and can be solid, semi-solid, semi-solids, liquid, liquids, sludge, sludges, or a contained gas; and because of its quantity, concentration, or physical, chemical, or infectious characteristics, (it) may: a. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed, Hazardous waste may include any of the following: ignitability, CORROSIVITY, reactivity, and toxicity. Hazardous waste includes those described as "hazardous waste" by the Virginia Hazardous Waste Regulation or the EPA.
21. “Hazardous Waste Facility” means a facility for the storage, collection, processing, treatment or disposal of hazardous waste or recycling or recovery which requires a state waste management permit.
22. “Hazardous Waste Generation” means the act or process of producing hazardous waste.
23. “Hazardous Waste Landfill Facility” means any facility or any portion of a facility for disposal of hazardous waste.
24. “Hazardous Waste Management” means the systematic control of the collection, source, separation, storage, transportation, processing, treatment, disposal of hazardous wastes or recovery process which requires a state waste management permit.
25. “Household Solid Waste” shall mean solid waste generated solely by residential use, and shall not include any industrial waste, agricultural waste, as defined in the Virginia Department of Environmental Quality, Solid Waste Management Regulations, as amended, or hazardous waste as defined herein. Carpet shall be deemed household solid waste if it is disposed of by the occupant and/or owner of the residential dwelling. Residential construction and/or demolition waste created by and disposed of by the occupant and/or owner of his/her dwelling shall be deemed household solid waste.
26. “Ignitable Waste” means:  
**a.** Causes fires under certain conditions, **b.** Liquids having a flash point of less than 140 degrees F (60 degrees C) as determined by the methods specified in the Virginia Hazardous Waste Management Regulations. **c.** Non-liquids liable to cause fires through friction, absorption of moisture, spontaneous chemical change or retained heat from manufacturing or liable, when ignited, to burn so vigorously and persistently as to create a hazard.  
**d.** Ignitable compressed gases; and/or oxidizers.
27. “Incineration” means the controlled combustion of solid waste in an enclosed device.
28. “Incinerator” means a commercial furnace or other combustion unit which is an enclosed device using controlled flame combustion for solid waste with a rated capacity for greater than twenty (20) tons of solid waste per day and is not classified as a boiler or industrial furnace for other than solid waste.



29. “Incinerator Residue” means the resulting ash product from the incineration of solid waste.
30. “Industrial Solid Waste” means all solid waste resulting from manufacturing and industrial processes which are not suitable for discharge to a sanitary sewer or treatment in a publicly owned sewage treatment plant. Industrial solid waste includes: mining wastes from the extraction, beneficiation, and processing of ores and minerals unless those materials are returned to the mine site; fly ash; bottom ash; fire gas emission control wastes generated primarily from the combustion of coal or other fossil fuels; cement kiln dust; and asbestos.
31. “Industrial Waste Landfill” means a solid waste landfill facility used primarily for the disposal of a specific industrial waste or a waste which is a by-product of a production process.
32. “Inert Waste” means solid waste, which is physically, chemically and biologically stable from further degradation and considered to be non-reactive. Inert wastes include rubble, concrete, broken bricks, bricks and blocks.
33. “Infectious Waste” means solid wastes which contain pathogen with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in an infectious disease. Infectious wastes are generated by health care facilities, laboratories and research facilities and are contaminated with pathogenic organisms and may cause infectious disease in exposed persons.
34. “Institutional Waste” means all solid waste emanating from institutions such as, but not limited to, hospitals, nursing homes, orphanages, and public or private schools. It can include infectious waste from health care facilities and research facilities that has not been classified as a hazardous waste by the Virginia Hazardous Waste Regulations or the EPA.
35. “Landfill” means a disposal facility or part of a disposal facility where waste is placed in or on land and which is not a land treatment facility, a surface impoundment, an injection well, a hazardous waste long-term storage facility or a surface storage facility.
36. “Long-term Retrievable Storage” means storage in closed containers in facilities (either above or below ground).
37. “Lower Explosive Limit” means the lowest concentration by volume of a mixture of explosive gases in air that will explode or burn in air at twenty-five (25) degrees C at atmospheric pressure.
38. “Municipal Solid Waste” means that waste which is normally composed of residential, commercial, and institutional solid waste.
39. “Natural Resources” means all materials which have useful physical or chemical properties which exist unused, in nature.

40. “Nuisance” means; an activity which unreasonably interferes with an individual's or the public's comfort, convenience or enjoyment such that it interferes with the rights of others by causing damage, annoyance, or inconvenience.
41. “Operator” means the person responsible for the overall operation and site management of a solid waste management or solid waste storage facility.
42. “Owner” means the person, corporation or other legal entity which legally possesses the land on which a solid waste management facility or solid waste storage facility is located.
43. “Person” means an individual, corporation, partnership, association, a unit of local government, state agency, federal agency, or other legal entity.
44. “Pollutant” means any substance which causes or contributes to or may cause or contribute to, environmental degradation when discharged into the environment.
45. “Processing” means preparation, treatment, or conversion of waste by a series of actions, changes, or functions that bring about a desired end result.
46. “Public Land” means any land, used for any purpose that is leased or owned by a governmental entity.
47. “RCRA” means the Solid Waste Disposal Act, as amended by the Resource conservation and Recovery Act of 1976 (42 USC 6901 et seq.) and the Hazardous and Solid Waste Amendments of 1984.
48. “R. D. F. (Refused Derived Fuel)” means solid waste which is processed to be used as fuel to produce energy.
49. “Reactive Waste” means wastes that are unstable under normal conditions. They can create explosions and/or fumes, gases and vapors when mixed with water.
50. “Reclaimed” means material which is processed or reprocessed to recover a usable product or is regenerated to a usable form.
51. “Reclamation” means the act or process of reclaiming where a permit is required from the State Division of Waste Management.
52. “Recycling” means the process by which recovered resources are transformed into new products so that the original products lose their identity which requires a permit from the State Office of Waste Management.
53. “Resource Recovery” means a solid waste management system which provides for collection, separation, recycling and recovery of energy or solid waste, including disposal of non- recoverable waste residues.

54. “Residential Waste” means household waste.
55. “Sanitary Landfill” means a land disposal site employing an engineered, constructed and controlled burial method of disposal of solid waste to minimize environmental and health nuisances and hazards. The methods include spreading the solid waste in thin layers, compacting the solid waste to the smallest practical volume, confining the solid waste to the smallest practical area, and applying suitable cover material at the end of each operating day and at such more frequent intervals as may be necessary.
56. “Site” means the land or water area upon which a solid waste facility, solid waste storage facility, or activity is physically located or conducted, including adjacent land used for the facility and its utility systems such as repair, storage, shipping or processing areas, or other areas incident to the controlled solid waste facility or activity.
57. “Sludge” means any solid, semi-solid or liquid waste generated from a municipal, commercial, institutional, industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other waste having similar characteristics and effects.
58. “Solid Waste” means any hazardous or non hazardous discarded material, garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, domestic sewage collection, treatment and disposal systems, and other material that is either discarded or is being accumulated, stored or treated prior to being discarded, or has served its original intended use and is generally discarded, including but not limited to solid liquid, semisolid, or contained gaseous material resulting from industrial, institutional, commercial, mining and agricultural operations and from community activities.
59. “Solid Waste Disposal Facility” means any landfill, sanitary landfill facility, storage facility, construction/ demolition/debris landfill facility, industrial waste landfill, resource recovery facility which requires a state waste management permit, incinerator and composting facility. A wastewater treatment plant is not a solid waste facility.
60. “Solid Waste Generation” means the act or process of producing solid waste.
61. “Solid Waste Management” means purposeful, systematic control of the generation, storage, collection, transport, separation, treatment, processing, recycling or recovery which requires a state waste management permit and disposal of solid waste.
62. “Solid Waste Management Facility (SWMF)” means any facility (land, personnel, and equipment) which engages in a planned program for effectively controlling the storage, processing and reuse, conversion or disposal of solid wastes in a safe, sanitary, aesthetically acceptable, environmentally sound and economical manner.
63. “Storage” means the containment of solid waste, either on a temporary basis or for a period of years, in a manner which does not constitute disposal.

64. “Storage Facility” means a facility (land, personnel and equipment) which engages in the storage or containment of hazardous or non-hazardous solid waste either on a temporary basis or for a period of years in a manner which does not constitute disposal. Storage facilities include any and all contiguous land, structures, containers, units and other appurtenances, and improvements thereon used for solid waste storage, and associated activities. Facility types include: long-term retrievable storage facilities, storage facilities, temporary storage facilities, surface storage facilities, transfer stations, underground storage facilities, storage farms (above or below ground), buildings used for storing solid waste. A facility may consist of more than one operational unit.
65. “Toxic Waste” means wastes that are harmful or fatal when ingested or absorbed. When toxic wastes are disposed of on land, contaminated liquid may drain (leach) from the waste and pollute ground water.
66. “Trash” means combustible and noncombustible discarded materials and is used interchangeably with the term rubbish.
67. “Transfer Station” means any storage or collection facility which is operated as a relay point for solid waste which ultimately is to be transferred to a central solid waste management facility.
68. “TREATMENT” means any method, technique or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any solid waste, neutralize the waste or to render the waste non-hazardous, safer for transport, amenable for recovery, amenable for storage or reduced in volume. The term includes any activity or processing designed to change the physical form or chemical composition of solid waste to render it non-hazardous.
69. “Unit of Local Government” means a county, city, town, or incorporated village.
70. “Waste Needing Special Handling (Special Waste)” any solid waste which requires extra or unusual management means when introduced into a solid waste management facility to insure protection of human health or the environment.
71. “Water Pollution” means such alteration of the physical, chemical, or biological properties of any ground water, state waters as will or is likely to create a nuisance or render such waters:
- a. Harmful or detrimental or injurious to the public health, safety, or welfare, or to the health of animals, fish, aquatic life or plants;
  - b. Unsuitable for recreational, commercial, industrial, agricultural or other reasonable uses; provided that:
    1. An alteration of the physical, chemical or biological properties, of state waters or a discharge or deposit of sewage, industrial wastes, or other wastes to state waters by any owner which by itself is not sufficient to cause pollution but which in

combination with such alteration or discharge or deposit to state waters by other persons is sufficient to cause pollution.

2. The discharge of untreated sewage by any person into state waters; and
3. The contribution to the degradation of water quality standards duly established by the State Water Control Board, are "Pollution" for the terms and purposes of these articles.

72. "White Goods" means any stoves, washers, hot water heaters, other large appliances, waste metal products which are introduced onto a landfill facility for disposal.

## **Article II.**

### **Purpose**

#### **SEC. 29-2. PURPOSE FOR ORDINANCE.**

This ordinance is established for the purpose of protecting promoting and preserving an environment that is conducive to public health and welfare, and preventing the creating of nuisances and the depletion of our natural resources, and to maintain such levels of air quality and water quality as will protect human health welfare and safety; and to the greatest degree practicable prevent injury to plant and animal life and property, and nurture the comfort of the people and their enjoyment of life and property; and to encourage the social and economic development of Pittsylvania County and facilitate enjoyment of its attractions.

## **Article III.**

### **Solid Waste Disposal**

#### **SEC. 29-3. SOLID WASTE DISPOSAL PROHIBITED.**

Within the territorial boundaries of Pittsylvania County, Virginia, it shall be unlawful for any person to dispose of any solid waste without the expressed approval of the Pittsylvania County Board of Supervisors. Unlawful solid waste disposal is not limited to but includes these types of waste as defined in Article 1 of the Ordinance: asbestos waste, ash, bottom ash, by-product materials, commercial waste, construction waste, corrosive waste, debris waste, demolition waste, fly ash, garbage, hazardous waste, household waste, infectious waste, institutional waste, low-level radioactive waste, municipal solid waste, non-hazardous solid waste, nuclear waste, pollutants, reactive waste, radioactive waste, residential waste sludge, solid waste, special waste, toxic waste or trash. (B.S.M. 11/17/92)

#### **SEC. 29-3.1. SOLID WASTE DISPOSAL APPROVAL REQUIREMENTS.**

A person requesting such approval as is outlined in Section 3 above shall comply with the following requirements:

1. That any partnership provide the names and addresses of any and all partners, whether they be general or limited partners, to the Pittsylvania County Board of Supervisors.
2. That any corporation provide to the Pittsylvania County Board of Supervisors the names and physical addresses of any and all stockholders, officers and directors of such corporation;
3. That any person or entity, including any general or limited partner, stockholder, officer or director disclose any relation it/he/she may have with any other entity who has any dealings with or whose business concerns collection, storage, transfer, reclamation or disposal of any type of waste, whether or not it be solid, liquid, toxic hazardous or nuclear; and further, that each person or entity disclose under oath, any violation, citation of violation or notice of violation it/he/she or any entity they have been associated with concerning collection, storage, transfer, reclamation or disposal of any type of waste has received and further, if there has been no violations citations of violations or notice of violations, each such person and/or entity shall sign an affidavit to that effect. In the event that any such affidavit or disclosure signed under oath shall be determined by the Pittsylvania County Board of Supervisors to be false, then the Pittsylvania County Board of Supervisors may withdraw its approval without notice to said person or entity. Any such person and/or entity executing such a disclosure under oath or affidavit shall execute a bond in the amount of one hundred million (\$100,000,000) dollars which said bond shall be forfeited in the event that it shall be determined that said disclosure or Affidavit is false. Such forfeiture may be waived by the Pittsylvania County Board of Supervisors if it be determined that any such false statement was made by accident and not in bad faith. In the event that any such forfeiture shall take place, the money received by the County for said bond shall be used to indemnify the County and each and every one of its citizens who shall be in any way, damaged by the activities of any such person or entity and all remaining funds shall thereafter be transferred to the general funds for the County to use as the Pittsylvania County Board of Supervisors deems fit.
4. Submit in writing to the Board a comprehensive program for implementation of such the following:
  - A. A complete description of all property to be used including a copy of the deed on record in the Pittsylvania County Circuit Court Clerk's Office at the Pittsylvania County Courthouse;
  - B. A certified surface ownership map showing all the boundaries of the property to be used and locating all adjacent property boundaries and tracts of land and owners. This map is to be on a scale of 1"- 400' and must include creeks, streams, dwellings and other structures, nearest corporation limits, ownership, acreage, deed book and page number of all property to be used and all adjacent properties.

- C. The existing population and projected population of the area to be served over the life of the proposed request.
- D. The quantities of solid Waste generated and estimated to be generated by the type of request over the life of the request.
- E. A manifest system for identifying the quantity, composition and the origin, routing and destination of all solid waste during its transportation from the point of generation to the point of disposal.
- F. A complete hydrological and geological report by a registered geologist which includes such factors as flood plains, depth to water table, drainage plan, groundwater travel time, proximity to public water supply watersheds, soil pH, soil cation, exchange capacity, soil composition and permeability, cavernous bedrock, seismic activity, slope, mines, and climate; and credentials of geologist.
- G. A complete report pertaining to transportation factors which includes proximity to population, route safety, method of transportation and all area roads, lands, etc., which will be effected by route.
- H. A complete air quality report which includes relevant facts and circumstances as may be presented bearing upon the reasonableness of the activity involved and the methods proposed to control it including:
  - 1. The suitability or unsuitability of such activity;
  - 2. The practicability, both scientific and economic, of reducing or eliminating the discharge resulting from such activity.
- I. A complete baseline water analysis test from at least two (2) different water analysis laboratories who are certified under the Safe Drinking Water Act, one of which will be recommended by the Board.
- J. A set of plans and specifications for the proposed request with a plan view of the proposed excavations, elevations, and floor plans for structures.
- K. A complete work force report for the number of employees needed and complete job descriptions, qualifications and projected employment for the future of the request, employees benefit plan, training programs and compensation plan.

Inclusive of: plans to minimize unanticipated damage from request, emergency health and safety programs, procedures to minimize danger, annual retraining programs to prevent health hazards and risk to workers, community and environment.

5. Copies of the proposed comprehensive program shall be available for inspection as follows:

- A. A copy of the comprehensive program shall be provided to the local Health Director

- B. A copy of the comprehensive program shall be filed with the Pittsylvania County Administrator's Office.
- C. A copy of the comprehensive program shall be provided to the Pittsylvania County Building Inspector's Office.

**SEC. 29-3.2. PUBLIC PARTICIPATION.**

1. All information requested shall be submitted to the Pittsylvania County Board of Supervisors. Upon receipt of all information pursuant to Article 3.1 the Board shall issue public notice of said request and conduct public hearings as follows:
  - A. A public notice and summary of the proposed request and scheduled public hearing dates shall be published twice weekly for three (3) consecutive weeks in two (2) **newspapers** having general circulation in the County.
  - B. There shall be a public hearing held at least one (1) night during evening hours and a complete transcript kept of said hearings.
  - C. All hearings shall be held within forty-five (45) days of the first publication for said request.
2. No approval shall be given except after public hearing to be held after prior notice thereof by public advertisement of the date, time and place of such hearings, at which opportunity to be heard with respect thereto shall be given to the public.
3. Any persons may appear before the Board at the hearings to offer testimony. In addition to testimony before the Board, an interested person may submit written material to the Board for its consideration. No later than 180 days after the hearing, the Board shall approve or disapprove the facility.

**SEC. 29.3.3. ACTING UPON REQUEST FOR APPROVAL.**

In acting upon request for approval, the following will be considered:

1. Acceptability within the community.
2. Hydrological and geological factors such as flood plains, depth to watertable, groundwater, travel time, proximity to public water supply watersheds, soil pH, soil cation exchange capacity, soil composition and permeability, cavernous bedrock, seismic activity, slope, mines and climate.
3. Natural resources such as wetlands, endangered species, habitats, proximity to parks, forests, wilderness areas and historical sites and air quality.



4. Local land use whether residential, industrial, commercial, recreational, agricultural, and proximity to incompatible structures such as schools, churches and airports.
5. Transportation factors, such as proximity to population, route safety, method of transportation, and proximity to other waste generator.
6. Aesthetic factors such as visibility, appearance and noise level.
7. Experience and management qualifications.

#### **SEC. 29-3.4. FINDINGS REQUIRED FOR APPROVAL.**

Before approval, the Board must make the following finding:

1. That the applicant or if the applicant is a partnership or association, any partners or members thereof, or if the applicant is a corporation, any officer, director or stockholder is a person of good moral character and repute.
2. That the proposed request is capable of management in this County and serves the interest of the citizens of the County as a whole.
3. That all legally required local ordinances and permits can be met.
4. That the construction and operation of the request will not pose an unreasonable health or environmental risk to the surrounding locality and that the developer, operator or person has taken or consented to take any reasonable measures to avoid or manage foreseeable risks and to comply to the maximum feasible extent with all applicable ordinance(s).
5. The person requesting approval shall remain fully liable for all damages, losses, personal injury or property damage which may arise out of such request and for compliance with regulatory requirements concerning insurance, bonding foreclosure and post closure costs, monitoring and other financial or health and safety requirements as required by law. The County shall be immune from liability except as otherwise provided by statute.
6. In the event the laws or rules applicable to the request make the operation impossible or economically infeasible, such operation cannot be terminated without notice, of not less than six (6) months.
7. The Board may adopt rules for financial responsibility requirements for sufficient availability of funds for facility closure and post-closure monitoring and corrective measures, and for potential liability for sudden and non-sudden accidental occurrences, which may permit the use of insurance, financial tests, guarantees by corporate owners who can pass the financial test trusts, surety bonds, or other financial device, or any combination of the foregoing, shown to provide protection equivalent to the financial protection that would have been provided by insurance if insurance were the only mechanism used. The Board may provide a copy of any filing to meet the financial responsibility requirements to

the State Treasurer who shall review the filing and provide written comments on the equivalency of protection provided by the filing including recommended changes.

8. The person requesting approval shall establish financial responsibility to members of the Board for inspection of the premises and daily monitoring of waste intake and disposal at the site.
9. Annual permit fees shall be required for all requests. Permit fees shall be set by the Board and a list of such fees shall be available at the County Administrator's Office. In addition, the Board shall require a percentage of the income from the request be deposited in trust with the County for the purpose of defraying the cost of any cleanup, which might be required. The limits of all deposits required shall be set by the Board.

#### **SEC. 29-3.5. RECORD FOR REQUEST SHALL BE KEPT.**

The record for the request for approval shall include the Board's written decision, a complete transcript of all hearings all written material presented to the Board regarding the site locations, comprehensive program and the specific findings and any minority positions on the recommendation and specific findings. The Board shall identify the material submitted to the Board plus any additional materials used in arriving at the decision.

#### **SEC. 29-4. APPROVAL PROHIBITED.**

It shall be unlawful for any person or entity, or any entity who is owned wholly or in part, or any entity who is operated, managed, or controlled by any entity or person who has ever been cited for violations of health, safety or environmental law, rules, regulations, ordinances or requirements of any Federal, State or local government pertaining to the collection, storage, transportation, reclamation, disposal or use in landfills of solid waste, liquid waste, toxic or hazardous waste or nuclear waste to transport such waste into or through the boundaries of Pittsylvania County.

#### **SEC. 29-5. REVOCATION OF APPROVAL.**

Any approval issued by the Board may be revoked when any of the following conditions exist:

1. Any person or entity thereof violates any local, State or Federal Regulations so as to pose present or potential hazard to human health, or the environment; and
2. Any person or entity thereof maintains or operates a site in such a manner as to pose a substantial present or potential hazard to human health or the environment;
3. The person who was given expressed approval, abandons, sells, leases, or ceases to operate the site or facility;
4. There exists a substantial threat of a release into the environment of a hazardous substance or pollutant causing significant effects on the air, land, surface water or ground water;

5. There is a significant change in operation which may require safeguards to protect the public health and environment.

#### **SEC. 29-6. NONCOMPLIANCE AND PENALTIES.**

Any violation of any portion of all of this Ordinance shall be subject to a fine of up to one thousand (\$1,000.00) dollars and/or up to twelve months imprisonment as provided in the Virginia Code Section 15.2-1249, as amended. Each day that a person violates these Ordinances shall constitute a separate offense and such violation shall additionally be subject to injunctive relief in a State Court of competent jurisdiction.

#### **SEC. 29-7. MUST MEET ALL OTHER RULES AND REGULATIONS.**

Nothing in this Ordinance shall be construed to exempt the person requesting said approval, from any other Federal, State or local regulations required for request made in Article 3 of this Ordinance. Other regulations include, but are not limited to:

1. Federal Regulatory Acts as Defined by the Department of Defense, Corp of Engineers; Department of the Army Regulatory Programs of the Corps of Engineers, Final Rule. These acts include but are not limited to the following:
  - A. National Fishing Enhancement Act of 1984;
  - B. The Clean Water Act;
  - C. The National Environmental Policy Act of 1969
  - D. The Fish and Wildlife Act of 1956;
  - E. The Federal Power Act of 1920;
  - F. The Historic Preservation Act of 1966;
  - G. Full Disclosure Act;
  - H. The Endangered Species Act;
2. The Virginia Department of Waste Management Rules and Regulations.

#### **SEC. 29-8. ADJUDICATION IN PART.**

If any clause, sentence, paragraph, subdivision, section or part of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, the judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

#### **SEC. 29-9. APPLICATION.**

This ordinance shall not apply to any landfill licensed by the County on or before July 1, 1988 who has and continues to comply with all State and Federal regulations on landfills.

**Adopted 11/7/1988, Amended 9/4/1990**

**PITTSYLVANIA COUNTY CODE**  
**CHAPTER 32**  
**SOLID WASTE SITING ORDINANCE**

- § 32-1. Solid Waste Siting Ordinance
- § 32-2. Severability
- § 32-3. Repeal to Conflicting Ordinances Effective to Date
- § 32-4. Definitions
- § 32-5. Siting-Sanitary Landfill
- § 32-6. Application
- § 32-7. Public Hearing

## **Chapter 32**

### **SOLID WASTE SITING ORDINANCE**

#### **Article I.**

##### **SEC. 32-1. SOLID WASTE SITING ORDINANCE.**

- A. **WHEREAS**, by act of the General Assembly codified as 10.1-1408.1 and 15.2-929 of the Code of Virginia, the siting of solid waste management facilities within its boundaries; and
- B. **WHEREAS**, no application for a permit for a solid waste management facility can be considered complete when filed with the Director of the Department of Solid Waste Management of the Commonwealth of Virginia unless there is included therewith a certification from the governing body of the county, city or town in which the facility is to be located, that the location and operation of the facility are consistent with all applicable ordinances.
- C. **THEREFORE**, it be ordained by the Board of Supervisors of Pittsylvania County, Virginia for the purposes of promoting the health, safety and general welfare of the public and of further fulfilling objectives of 10.1-1408.1 and 15.2-929 of the Code of Virginia, 1950, as amended, that the following be adopted as the Solid Waste Siting Ordinance of Pittsylvania County, Virginia and as the procedure for obtaining certification of the Board of Supervisors of Pittsylvania County, Virginia, that the location and operation of proposed solid waste facility are consistent with all applicable ordinances of Pittsylvania County, Virginia.

##### **SEC. 32-2. SERVABILITY.**

- A. Should any section or provision of this ordinance be declared by the courts to be unconstitutional and invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the parts that are declared to be unconstitutional or invalid.

##### **SEC. 32-3. REPEAL TO CONFLICTING ORDINANCES EFFECTIVE TO DATE.**

- A. All ordinances or parts of ordinances which conflict with this siting ordinance or which are inconsistent with the provision of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall become effective from the date of its approval and adoption as provided by law.

##### **SEC. 32-4. DEFINITIONS.**

- A. For the purpose of this ordinance certain terms or words used herein shall be interpreted as follows:

1. The word “person” includes firm, association, organization, partnership, trust, company or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular.
3. The word “shall” is a mandatory requirement. The word “may” is a permissive requirement. The word “should” is a preferred requirement.
4. The word “used” or “occupied” include the words “intended, desired, or arranged to be used or occupied”.
5. The word “parcel” includes the words “lot, plot, and tract”.
6. “Solid Waste Disposal Facility” is a sanitary landfill, incinerator, construction, demolition debris landfill, industrial waste landfill, or any other area or facility used for disposal in any manner of solid waste.
7. “Public” shall mean a facility open to the general public or segments of the general public whether operated by municipality or by private person.
8. “Private” shall mean a facility operated by a person for the sole use of that person.

**SEC. 32-5. SITING – SANITARY LANDFILL.**

- A. Landfill shall not be sited or constructed in areas subject to base floods.
- B. No landfill shall be sited in geologically unstable areas where inadequate foundation support for the construction components for the landfill exist giving due consideration to soil conditions, geological and geomorphologic features, manmade features and sink holes.
- C. No sanitary landfill disposal area shall extend closer than two hundred (200) feet of any regular flowing surface body of water, five hundred (500) feet of any well, spring or other ground water source of drinking water. It shall be a minimum of fifty (50) feet from the active filling areas to any public road or right of way used by other than the person operating the landfill, five hundred (500) feet from the active filling area to any residence, school, hospital or nursing home, or recreational park area.
- D. There shall be a minimum separation of five (5) feet between the deposit of solid waste and maximum seasonal water table or bedrock unless equal isolation or separation can be achieved and maintained by engineered construction and operation methods to meet the standards of the Department of Solid Waste of the Commonwealth of Virginia.

#### **SEC. 32-6. APPLICATION.**

- A. The application shall contain the following information: name, address, phone number of applicant, legal description of the property and tax map reference, present use, present zoning district, list of all property owners and mailing addresses as shown on the County land books who are contiguous, adjacent or within two hundred (200) yards of the proposed site. The fee established by the governing body to cover the cost of processing the application giving notice to affected property owners and advertising public hearing.
- B. In addition, the applicant for a certificate may be requested to furnish engineering and site plan to show: the direction of ground water flow within the uppermost aquifer slopes with no slope greater than thirty-three (33%) percent being permissible over more than half the site area, availability of cover material on site, or arrangements for obtaining adequate cover material from a borrow site, springs, seeps, other ground water, other possible ground water intrusion to the site, location of any gas, water, sewage, electrical or other transmission lines under, on or over the site, the prior existence of any on the site, the location on the site of any prior open dump, uncommitted landfill, lagoon or similar facility.
- C. The applicant shall provide in its application a map showing the location of the landfill within the County, the roads and rights of way giving access to the landfill, the approximate location of residences, schools, hospitals, retail establishments located along any street or secondary road proposed to be used as an access road for the landfill.
- D. Site plan shall be provided which shall show the entire acreage owned or controlled by the applicant, the names of adjoining property owners, the location, any adjoining property, or other properties within two hundred (200) yards of the site of any residence, school, hospital, recreational park, retail establishment.

#### **SEC. 32-7. PUBLIC HEARING.**

- A. Within sixty (60) days after the receipt of completed application, the Board of Supervisors shall hold a public hearing on the proposed siting of the solid waste disposal area. The hearing shall be advertised as all other non-revenue ordinances are advertised. The governing body shall make a decision following said hearing no later than the regular meeting of the following month. If the governing body approves the siting location, it shall issue a certificate specified by §10.1-1408.1 of the Code of Virginia, 1950, as amended. If the said Board of Supervisors declines to award a certificate, it shall advise the applicant of the reasons for declining to issue a certificate.
- B. In making a decision as to whether or not the certificate shall be issued, the governing body shall consider the potential effect of the siting on the health, safety and welfare of the residents of the locality including not only the location

- of the siting, but the access from a primary highway to the siting. Once a certificate has been issued, the size of the site or the type of waste shall not be enlarged without reapplication and new public hearing. A site may be decreased in size or reduction in types of waste or volume may be reduced without amendment of certificate or new application provided, however, that in the event of a reduction in size of site or reduction in types of waste to be handled at the site after the issuance of certificate, the applicant shall within thirty days thereof file with the Board of Supervisors of Pittsylvania County, Virginia a new plat of site or a new description of type of waste which will be disposed of at the site.
- C. The Board of Supervisors in determining whether to issue or not issue a certificate may also consider whether the proposed facility is compatible to existing land uses and what visual barriers such as tree buffers or berms screen the site from adjacent residences, schools, hospitals, parks, recreation areas and retail establishments. The Board of Supervisors may consider litter on the secondary access roads to the site, noise, odor, and hours of operation.
- D. This ordinance shall apply to all solid waste management facilities located in the County to be located within the county of Pittsylvania, Virginia provided, however, that the Board of Supervisors may modify the requirements for a private on-site solid waste management facility to be used only by the person or concern located thereon for the disposal of its waste. If there are no residences, schools, hospitals or public park or recreation areas or retail establishments located within 100 yards of any on-site private solid waste management facility, the governing body may waive the conducting of a public hearing prior to granting or denying a certificate.
- E. In denying a certificate, the Board of Supervisors may state conditions which if complied conditions and resubmits his application containing all such conditions, then the Board may grant a certificate without further hearing. If a certificate is granted, certificate shall name the applicant, its address, describe in detail the location of the site and list the types of solid waste which may be disposed of at the site. It shall specifically refer to the date of the application and specifically list any date of any amendments thereto. When a certificate is issued, certificate shall state that the location and operation of the facility are consistent with all applicable ordinances of Pittsylvania County, Virginia, and a copy of the application and all amendments thereto shall be attached to the copy of the certificate which is to be filed by the applicant with the Director of the Department of Solid Waste Management.

**The above ordinance was adopted by the Pittsylvania County Board of Supervisors on August 7, 1989 and is effective upon the date of adoption.**



# **PITTSYLVANIA COUNTY CODE**

## **CHAPTER 33**

### **LITTER CONTROL**

#### **Article I.**

§ 33-1. Title and Definitions

§ 33-1.1. Title

§ 33-1.2. Definitions

#### **Article II.**

§ 33-2. Moving Violations

§ 33-2.1. Littering Prohibited; Penalties

§ 33-2.2. Uncovered Vehicle; Escape of Load

§ 33-2.3. Enforcement of Litter Laws; Prosecution; Presumption

#### **Article III.**

§ 33-3. Stationary Violations

§ 33-3.1. Areas Surrounding Commercial Establishments and Institutions

§ 33-3.2. Keeping Residential Property Clean

§ 33-3.3. Keeping Sidewalks Clean

§ 33-3.4. Sweeping Litter into the Street

§ 33-3.5. Construction and Demolition Sites

§ 33-3.6. Handbills and Advertising Material

§ 33-3.7. Penalties for Violation of Sections of Article III.

§ 33-4. Stationary Violations

- § 33-4.1. Household Solid Waste Containerization and Removal
- § 33-4.2. Commercial & Institution Solid Waste Containerization and Removal
- § 33-4.3. Proper Litter Receptacles or Solid Waste Containers
- § 33-4.4. Use of Bulk Containers
- § 33-4.5. Indiscriminate Dumping or Discarding of Litter and Solid Waste
- § 33-5. Cleanup-Government Authorization
  - § 33-5.1. Cleanup of Premises by Government Authorized
- § 33-6. Litter Receptacles
  - § 33-6.1. Use of Receptacles
  - § 33-6.2. Providing Adequate Litter Receptacles
- § 33-7. Severability

## CHAPTER 33

### LITTER CONTROL

#### Article I.

##### Title and Definitions

#### **SEC. 33-1.1. TITLE.**

This ordinance shall be known and may be cited as the Pittsylvania County Litter Control Ordinance.

#### **SEC. 33-1.2. DEFINITIONS.**

- A. “Litter” means all waste materials, including but not limited to bottles, glass, crockery, cans, scrap metal, paper, plastic, rubber, garbage, offal, waste building material at construction sites, disposable packages or containers thrown or deposited as prohibited herein, but not including the properly disposed waste of the primary processes of mining, logging, saw-milling, farming or manufacturing.
- B. “Person” means any natural person, corporation, partnership, association, firm, receiver, guardian trustee, executor, administrator, fiduciary, or representative or group of individuals or entities of any kind.
- C. “Private Property” means property owned by any person as defined herein, including but not limited to yards, grounds, driveways, entrance or passageways, parking areas, storage areas, anybody of water, vacant land, and recreation facilities.
- D. “Public Property” means any area that is used or held out for use by the public, whether owned or operated by public or private interests, including but not limited to highways, streets, alleys, parks, recreation areas, sidewalks, medians, lakes, rivers, streams, ponds or other bodies of water.
- E. “Vehicle” means every device capable of being moved upon a public highway or public waterway and in, upon or by which any person or property may be transported or drawn upon a public highway or public waterway, and shall also include any watercraft; boat, ship, vessel, barge or other floating craft, except devices moved by human power, or used exclusively upon stationary rails or tracks, or used exclusively for agricultural purposes and not licensed pursuant to State law which is not operated on any public highway for purposes other than crossing such public highway, or along such highway between two tracts of the owner's land.
- F. “Litter Receptacle” means a container with capacity of not less than 10 gallons, constructed and placed for use as a depository for litter.

- G. “Institution” means any public or private establishment which educates, instructs, treats for health purposes, or otherwise performs a service or need for the community, region, State or Nation.

## **Article II.**

### **Moving Violations**

#### **SEC. 33-2.1. LITTERING PROHIBITED; PENALTIES.**

- A. It shall be unlawful for any person to drop, deposit, discard, or otherwise dispose of litter in or upon any public or private property within Pittsylvania County including but not restricted to any street, sidewalk, park, body of water, vacant or occupied lot, except in public receptacles, or in authorized private receptacles provided for public use, or in an area designated by the State Department of Health as a permitted disposal site.
- B. Any person convicted of violating this section shall be punished by a fine of not less than two-hundred and fifty (\$250.00) dollars no more than two-thousand and five-hundred (\$2,500.00) dollars and by imprisonment for not more than twelve (12) months in jail, either or both.
- C. When a violation of the provisions of this Section has been observed by any person, and the matter dumped or disposed of in the highway, right-of-way, property adjacent to such highway or, right-of-way, or private property has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting such trash, garbage, refuse or other unsightly matter; provided, however, that such presumption shall be rebuttable by competent evidence.

#### **SEC. 33-2.2. UNCOVERED VEHICLE; ESCAPE OF LOAD.**

- A. No vehicle shall be driven or moved on any highway unless such vehicle is constructed or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Provided, however, that sand or any substance to increase traction or water or other substance may be applied on a roadway in the cleaning or maintaining of such roadway by the state or local government agency having such responsibilities.
- B. No vehicle used to transport litter or other items likely to fall or be blown from such vehicle shall be driven or moved, stopped or parked on any highway unless such vehicle is covered to prevent its contents from blowing, dropping or falling from such vehicle. Any person violating this Section shall be punished by a fine of not less than; two-hundred and fifty (\$250.00) dollars not more than two-thousand and five-hundred (\$2,500.00) dollars and not more than twelve (12) months in jail, either or both.
- C. Any person operating a vehicle from which any glass or objects have fallen or escaped, which could cause an obstruction or damage a vehicle or otherwise endanger travelers on such public property, shall immediately cause the public property to be cleaned of all glass

or objects and shall pay any costs therefore a violation of this Sub-Section shall constitute a Class 1 misdemeanor.

**SEC. 33-3.1. ENFORCEMENT OF LITTER LAWS; PROSECUTION; PRESUMPTION.**

- A. Enforcements officers of the Pittsylvania County Sheriff's Department are empowered to issue citations to, or arrest, persons violating any provision of this ordinance, and may serve and execute all warrants, and other process issued by the court in enforcing the provisions of this ordinance. In addition, mailing by registered mail of such process to his last known place of residence shall be deemed as personal service upon the person charged, for the purposes of this ordinance.
- B. The officers of the following departments shall be empowered to issue citations only:
  - 1. Public Works
  - 2. Sanitation
  - 3. Solid Waste Management
  - 4. Building and Zoning
  - 5. Fire and Health.
- C. Prosecution for a violation of any provision of this act may be initiated by any Law Enforcement Officer who witnesses such offense or who discovers an article of litter bearing a person's name on the property of another, on any public highway, street or road, upon a public park or recreation area, or upon any other public property except property that is designated for solid waste disposal. Such prosecution may be initiated by any private citizen, who witnesses an offense or discovers evidence.
- D. Any article of litter bearing a persons name found on the private property of another, or on any public property as designated herein, shall be presumed to be the property of such person whose name appears thereon, and that such person placed or caused-to-be placed such-article of litter; provided, however, that such presumption shall be rebuttable by competent evidence.
- E. Whenever any person is arrested for a violation of this ordinance, the arresting Law Enforcement Officer shall take the name and address of such person and issue a complaint, summons or otherwise notify him in writing to appear at a time and place to be specified in such-complaint or notice. Such time shall be at least five (5) days after such arrest unless the person arrested shall demand an earlier hearing. Such officer shall thereupon and upon the giving by such person of his written promise to appear at such time and place forthwith, release him from custody. Any person refusing to give such written promise to appear shall be prosecuted as in the manner of other violations of Pittsylvania County ordinances.
- F. Upon the failure of such person to comply as herein provided, the clerk of the court named in such summons shall summons such person to appear in such court to answer the charge of the violation of this ordinance.

### **Article III.**

#### **Stationary Violations**

##### **SEC. 33-3.1. AREAS SURROUNDING COMMERCIAL ESTABLISHMENTS AND INSTITUTIONS.**

- A. It shall be the duty of each proprietor and each operator of any business, industry, or institution to keep the adjacent and surrounding area clear and free of litter. These areas include, but are not restricted to, public and private sidewalks, roads and alleys; grounds; parking lots; loading and unloading areas; and all vacant lots which are owned or leased by said establishment or institution.

##### **SEC. 33-3.2. KEEPING RESIDENTIAL PROPERTY CLEAN.**

- A. It shall be the duty of each residential property owner and tenant to keep all exterior private property free of litter. These areas shall include, but not be restricted to, sidewalks, alleys and driveways; yards and grounds; fences, walls and property lines; drainages; and vacant lots in residential areas.

##### **SEC. 33-3.3. KEEPING SIDEWALKS CLEAN.**

Each owner, agent, occupant or lessee whose property faces on Pittsylvania County sidewalks, or strips between street and sidewalk, shall be responsible for keeping said sidewalk and strips free of litter.

##### **SE. 33-3.4. SWEEPING LITTER INTO THE STREET.**

It shall be unlawful to sweep or push litter from sidewalks into streets. Such litter shall be deposited in a proper receptacle which shall be covered to prevent scattering by wind and animal.

##### **SEC. 33-3.5. CONSTRUCTION AND DEMOLITION SITES.**

- A. It shall be unlawful for any owner, agent, or contractor to permit the accumulation of litter before, during or after completion of any construction or demolition project.
- B. It shall be the duty of the owner, agent or contractor in charge of a construction or development site to furnish litter receptacles and to collect and contain to prevent scattering other bulk litter on a daily basis. All litter shall be removed from such site not less than once a week.

##### **SEC. 33-3.6. HANDBILLS AND ADVERTISING MATERIAL.**

It shall be unlawful for any person distributing commercial handbills, leaflets, flyers, or any other advertising and information material to distribute material in such a manner that it litters either public or private property.

### **SEC. 33-3.7. PENALTIES FOR VIOLATION OF SECTIONS OF ARTICLE III.**

Any person convicted of violating any section of Article III shall be punished by a fine of twenty-five (\$25.00) dollars.

### **Article IV.**

#### **Stationary Violations**

### **SEC. 33-4.1. HOUSEHOLD SOLID WASTE CONTAINERIZATION AND REMOVAL.**

- A. All household solid waste shall be containerized and placed for collection according to the following requirements:

In County solid waste receptacles or landfill exceptions are as follows:

- (1) Excess material as a result of special circumstances such as a holiday.
- (2) Items too large to fit into containers such as, but not limited to household appliances, furniture, and mattresses, shall be disposed of in accordance with the following policy:

\*Carried to County's Compactor Site or County's Landfill.

### **SEC. 33-4.2. COMMERCIAL AND INSTITUTION SOLID WASTE CONTAINERIZATION AND REMOVAL.**

- A. All solid waste generated by any institution or business shall be placed for collection or according to the following requirements.

\*Placed at County's Solid Waste Site or County's Landfill exceptions are as follow:

- (1) Large bulk items too large for a container shall be handled in accordance with the following policy:

\*Carried to County's Landfill

### **SEC. 33-4.3. PROPER LITTER RECEPTACLES OR SOLID WASTE CONTAINERS.**

Any receptacle or container which does not conform to Pittsylvania County's standards shall be replaced by owner or user of said receptacle or container upon written notice from the Solid Waste Department. Failure to do so within five (5) days shall constitute a violation of this section, and each day thereafter shall constitute a separate violation.

#### **SEC. 33-4.4. USE OF BULK CONTAINERS.**

All bulk containers shall be used in accordance with the following regulations:

- A. Private boxes shall be maintained and cleaned by owners or leasees. At County's Solid Waste Site, bulk containers shall be used in accordance with Chapter 17 of Pennsylvania County Code.
- B. It shall be unlawful for any person to deposit household solid waste, or waste of any kind, except inside a bulk container.
- C. It shall be unlawful for any person to remove any item from a bulk container except those persons whose duty it is to service same.
- D. The use of bulk containers for deposit or discarding of certain items is specifically prohibited. These items include, but are not restricted to:
  - 1. Dead animals
  - 2. Manure
  - 3. Rubbish

#### **SEC. 33-4.5. INDISCRIMINATE DUMPING OR DISCARDING OF LITTER AND SOLID WASTE.**

- A. It shall be unlawful for any person to discard or dump along any street or road, on or off the right-of-way, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture, and any other material or equipment on public or private property except in an area designated by the State Department of Health as a permitted disposal site. **(B.S.M. 5/7/90)**
- B. Any article of litter bearing a person's name found on the private property of another, or on any public property, shall be presumed to be the property of such person placed or caused to be placed such article of litter; provided however, that such presumption shall be rebuttable by competent evidence.

#### **Article V.**

##### **Cleanup - Government Authorization**

#### **SEC. 33-5.1. CLEANUP OF PREMISES BY GOVERNMENT AUTHORIZED.**

- A. Ten (10) days after due notice is given to any owner, agent, occupant, or lessee of any private property to remove litter from the premises, the County of Pennsylvania is authorized



to clean up said private property and bill the owner, or his agent, for the costs thereof. If the bill has not been paid within thirty (30) days, execution may be issued by the County of Pittsylvania against the property for the amount expended in the cleaning work, and such execution shall constitute a lien on the property until the claim has been satisfied.

- B. Execution of the notice to remove litter shall be in writing.

## **Article VI.**

### **Litter Receptacles**

#### **SEC. 33-6.1. USE OF RECEPTACLES.**

- A. It shall be unlawful to deposit any item or items, except litter, in any receptacle placed for public use as a depository for litter.
- B. A person convicted of violating this section shall be punished by a fine of twenty-five (\$25.00) dollars.

#### **SEC. 33-6.2. PROVIDING ADEQUATE LITTER RECEPTACLES.**

- A. It shall be the duty of any person owning or operating any establishment or public place to provide receptacles adequate to contain the litter generated at said establishment.
- B. The penalty established for violation of this section is fifteen (\$15.00) dollars for each day of violation.

## **Article VII.**

#### **SEC. 33-7. SEVERABILITY.**

Should any article, section, subsection or provision of this Litter Control Ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Litter Control Ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

**Adopted by the Board of Supervisors on September 26, 1989.**

**Amended by the Board of Supervisors on May 7, 1990.**

**Amended by the Board of Supervisors on April 6, 2009.**

## APPENDIX 6

### TOWN AGREEMENTS

This agreement, dated June 1<sup>st</sup>, 2004, by and between the **Town of Chatham**, a municipal corporation of the Commonwealth of Virginia, (referred to herein as "Town"); and **Pittsylvania County**, a political subdivision of the Commonwealth of Virginia, (referred to herein as "County").

### **RECITALS**

WHEREAS, the Commonwealth of Virginia, pursuant to the provisions of Section 10.1-1411 and regulations adopted pursuant thereto through the Department of Solid Waste Management of the Commonwealth of Virginia, has mandated planning regulation for localities within the Commonwealth; and

WHEREAS, said law and regulations require each County, City, and Town to develop a Solid Waste Management Plan, or amend an existing plan, which must be submitted to the Department of Waste Management no later than July 1, 2004, of which must comply with certain mandates; and

WHEREAS, the Town and County desire to enter into an agreement whereby the Town would be subsumed within the County's Regional Solid Waste Management Plan and whereby the Town would cooperate in providing its necessary share of support and documentation to comply with the State mandates, each party cooperating on a regional basis for the betterment of the community; and

WHEREAS, the parties desire to reduce their undertakings to writing.

### **NOW, THEREFORE, WITNESS THIS AGREEMENT:**

That for and in consideration of the mutual promises and covenants contained herein, the parties do agree as follows;

1. The County agrees that it will develop, submit for approval, and maintain a County-wide regional comprehensive Solid Waste Management Plan which will include the Town of Chatham as a participant therein, and which will further satisfy to existing and future mandates of said legislation and regulation.


2. The Town agrees to cooperate in satisfying the objectives set forth in the said Regional Solid Waste Management Plan, including source reduction, reuse and recycling, consistent with its capabilities and pro rata obligation.
3. The Town further agrees to cooperate in facilitating education, public participation and public awareness of such mandates, consistent with its capabilities and pro rata obligations, to the extent that the parties may agree.
4. The Town agrees to furnish reasonable available documentation as requested by County bearing on compliance with mandates.
5. Any recycling facilities provided by the County, wheresoever situate, may be freely utilized by the citizens of the Town and such usage by its citizens may be deemed participation by the Town hereunder.
6. All proceeds from any County-maintained recycling facility, regardless of its location, shall be retained by the County for such purposes as it deems necessary or appropriate, provided however, that Town collection facilities shall not be deemed to fall within the purview of this provision.
7. This is a voluntary, intergovernmental agreement and is expressly limited to the terms hereof, it being the intent of the parties that this agreement shall not by its execution affect any other area of agreement provided in Title 15.1 of the Code of Virginia of 1950, nor shall it be deemed to be an action pursuant to the provisions of Article 1.1 of Chapter 25 of Title 15.1, Chapter 26.1:1 of Title 15.1, nor to affect the provisions as to the future rights to seek City status, pursuant to the provisions of Chapter 22 or any other chapter of Title 15.1 of the Code of Virginia of 1950, as amended.
8. This Agreement may be amended, modified or supplemented, in whole or in part, by mutual consent of the Town and County by written document of equal formality and dignity executed by the authorized representatives of the Town and County.

IN WITNESSETH WHEREOF, the governing bodies of the Town and County have each by ordinance or resolution caused this Agreement to be fully executed by their respective officials and attested by their respective clerks.

**Town of Chatham**

By   
**L. Elton Pruitt, Mayor**


**ATTEST:**

  
**David Cothran, Town Clerk**

**COUNTY OF PITTSYLVANIA**

By   
**Coy E. Harville, Chairman of the Board**

**ATTEST:**

  
**William D. Sleeper, County Administrator**

**APPROVED AS TO FORM:**

  
**Rudolph Shupik, Town Attorney**

  
**John P. Light, County Attorney**

This agreement, dated June 7<sup>th</sup>, 2004, by and between the Town of Hurt, a municipal corporation of the Commonwealth of Virginia, (referred to herein as "Town"); and Pittsylvania County, a political subdivision of the Commonwealth of Virginia, (referred to herein as "County").

### **RECITALS**

WHEREAS, the Commonwealth of Virginia, pursuant to the provisions of Section 10.1-1411 and regulations adopted pursuant thereto through the Department of Solid Waste Management of the Commonwealth of Virginia, has mandated planning regulation for localities within the Commonwealth; and

WHEREAS, said law and regulations require each County, City, and Town to develop a Solid Waste Management Plan, or amend an existing plan, which must be submitted to the Department of Waste Management no later than July 1, 2004, of which must comply with certain mandates; and

WHEREAS, the Town and County desire to enter into an agreement whereby the Town would be subsumed within the County's Regional Solid Waste Management Plan and whereby the Town would cooperate in providing its necessary share of support and documentation to comply with the State mandates, each party cooperating on a regional basis for the betterment of the community; and

WHEREAS, the parties desire to reduce their undertakings to writing.

**NOW, THEREFORE, WITNESS THIS AGREEMENT:**

That for and in consideration of the mutual promises and covenants contained herein, the parties do agree as follows;

1. The County agrees that it will develop, submit for approval, and maintain a County-wide regional comprehensive Solid Waste Management Plan which will include the Town of Hurt as a participant therein, and which will further satisfy to existing and future mandates of said legislation and regulation.

IN WITNESSETH WHEREOF, the governing bodies of the Town and County have each by ordinance or resolution caused this Agreement to be fully executed by their respective officials and attested by their respective clerks.



**Town of Hurt**

By Bobby L. Krantz  
Bobby L. Krantz, Mayor

**ATTEST:**

Linda L. East  
Linda L. East, Town Clerk

**COUNTY OF PITTSYLVANIA**

By Coy E. Harville  
Coy E. Harville, Chairman of the Board

**ATTEST:**

William D. Sleeper  
William D. Sleeper, County Administrator

**APPROVED AS TO FORM:**

J. Johnson Eller, Jr.  
J. Johnson Eller, Jr., Town Attorney

John F. Light  
John F. Light, County Attorney

## **APPENDIX 7**

### **SOLID WASTE MANAGEMENT PLANNING REGION APPROVAL AND BOARD RESOLUTION**



# COMMONWEALTH of VIRGINIA

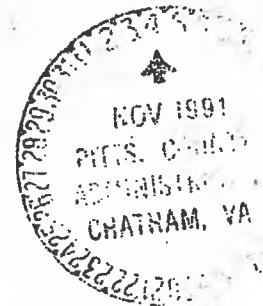
WILLIAM L. WOODFIN, JR.  
DIRECTOR

## DEPARTMENT OF WASTE MANAGEMENT

(804) 225-2867  
TDD (804) 371-6737

November 1, 1991

Mr. Otis S. Hawker, Director  
Pittsylvania County Public Works  
P.O. Box 426  
Chatham, Virginia 24531



Dear Mr. Hawker:

I am pleased to advise you that your petition for designation as a solid waste management planning area has been approved.

In accordance with the provision of Section 10.1-1411 of the Code of Virginia, and Part V, Regulations for the Development of Solid Waste Management Plans, VR 672-50-01, I hereby designate a solid waste management region for the local governments of Pittsylvania County and the Towns of Chatham, Hurt and Gretna. The County of Pittsylvania will be the designated contact for development and/or implementation of a regional solid waste management plan and programs for the recycling of solid waste generated within the designated region. Please advise all members of your region of the designation.

I want to commend your efforts to address the solid waste management needs of your area and encourage you to continue your leadership and initiative. I look forward to working with you in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. L. Woodfin, Jr.".

William L. Woodfin, Jr.

cc: Harry E. Gregori, Jr.

## RESOLUTION # 2021-07-02

### SOLID WASTE MANAGEMENT PLAN ADOPTION

The following Resolution was presented and adopted by Pittsylvania County Board of Supervisors ("Board") at its Business Meeting on Tuesday, July 20, 2021:

**WHEREAS**, in 1991, to facilitate regional coordination of solid waste services, Pittsylvania County, Virginia ("County"), and the Towns of Chatham, Hurt, and Gretna were designated a Solid Waste Management Region by the Commonwealth of Virginia, Department of Waste Management; and

**WHEREAS**, in accordance with the Virginia Waste Management Act, Virginia Code, § 10.1-1411, the Virginia Waste Management Board has mandated that all solid waste planning units in the Commonwealth develop and adopt a Solid Waste Management Plan ("SWMP"); and

**WHEREAS**, the County, in accordance with 9VAC20-130-173, has revised the June 2015 SWMP. This revision, dated July 2021, attached hereto as Exhibit "A" and made a part officially hereof, outlines the following goals:

1. Provide a cost-efficient service to the citizens of the County, regardless of area or population;
2. Reduce unlawful solid waste disposal;
3. Protect groundwater and air quality; and
4. Establish a policy that promotes and supports the education of County leadership, administration, businesses leaders, County Offices and Departments, and the public at large on the benefits of diverting waste through recycling, recovery, and reuse.

**NOW, THEREFORE BE IT RESOLVED** that the Board hereby approves and adopts the SWMP as revised.

Given under my hand the 20<sup>th</sup> day of July, 2021.



A handwritten signature in black ink, appearing to read "Robert W. Warren".

Robert ("Bob") W. Warren  
Chairman, Pittsylvania County Board of Supervisors

ATTEST:

A handwritten signature in black ink, appearing to read "David M. Smithman".

David M. Smithman, Clerk  
Pittsylvania County Board of Supervisors

## APPENDIX 8

### PUBLIC COMMENTS



## PITTSYLVANIA CO. BOARD OF SUPERVISORS

P.O. BOX 426 • 21 NORTH MAIN STREET  
CHATHAM, VIRGINIA 24531  
(434) 432-7700 - 787-9550 - 858-6211

REQUISITION NO. **36991**

- ☐ CENTRAL STORES REQUISITION  
☐ SERVICES REQUISITION  
☐ PURCHASE REQUISITION  
☐ DEPARTMENT TRANSFERS

DEPARTMENT <i>Board of Supervisors</i>	DEPT. NO. <i>100-4-011010 360000</i>	DATE OF REQUISITION <i>5/19/04</i>	REQUESTED BY <i>R. Patterson</i>
VENDOR <i>Star Tribune</i>		DATE REQUIRED	APPROVED BY
3 <i>Notices of Public Hearing</i>			
1. <i>Solid Waste Mgt. Plan</i>			
2. <i>Amendments to Zoning Ordinance</i>			
3. <i>Amendments to Chapter 4 of Code</i>			
<i>Public Hearing Wednesday, May 26, 2004</i>			
<i>and Wednesday, June 2, 2004</i>			
PURCHASING OFFICE USE ONLY		TOTAL	
DATE RECEIVED	DATE SENT OUT		
ORDERED FROM	PURCHASE ORDER NO.	DATE OF PURCHASE ORDER	DATE RECEIVED